Robert Mueller Municipal Airport

Book 15

Date 8/89

A U S T I N P L A N

PLANNING COMMISSION RECOMMENDATIONS

Adopted Unanimously
September 27, 1989

This reflects the Planning Commission's final recommendations concerning Austinplan. These recommendations are presented in legislative format, with underlining and strikeouts to indicate additions and deletions from the original document submitted by the Austinplan Integration Committee (November 1988). The recommendations are arranged in order of their location in the document, and are referenced according to page and item number. Recommendations concerning specific sector plan issues (primarily mapping changes) are presented separately at the end of this packet.

Following review and action by the City Council, all final recommendations will be incorporated into the full Austinplan document for public distribution.

these impacts, beneficial or adverse, and their significance; 6) Monitor the project to minimize any unpredicted impacts, to evaluate the validity of the predicted impacts and to assess the effectiveness of any mitigation.

p. 47
EV 2.6 Regulations ~~prohibiting~~ requiring alternatives to the placement of sewer lines ~~placement~~ in creekbeds to the greatest extent feasible.

2.7 Regulations ~~prohibiting structural development~~ controlling the construction of buildings in the 100-year floodplain.

2.8 Regulations ~~prohibiting~~ relating to channelization of creeks.

2.15 ~~Revision of the water rate structure to increase with volume.~~ Water and Wastewater rate structure study aimed at promoting water conservation and discouragement of excessive water use.

2.21 Analysis of alternative wastewater disposal systems.

2.22 Cost impact analysis for determining buildout of the Barton Creek watershed basin, and design for extension of water and wastewater services.

p. 48
EV 3.6 ~~Evaluate the creation of a Mitigation fund, supported by assessing fees from development projects with unavoidable impacts.~~

p. 50
EV 6.9 Develop in coordination with FAA a Regional Aviation System noise abatement plan, taking into consideration OSHA, HUD and DOD standards.

6.10 Investigation of sound barrier treatment for significant roadway corridors.

ENERGY ELEMENT

p. 54
I,C,1 The City should review and evaluate current efforts to develop an improved consensus cost of service model ~~correlating utility cost and revenues with the service provided to each of the various customer classes.~~

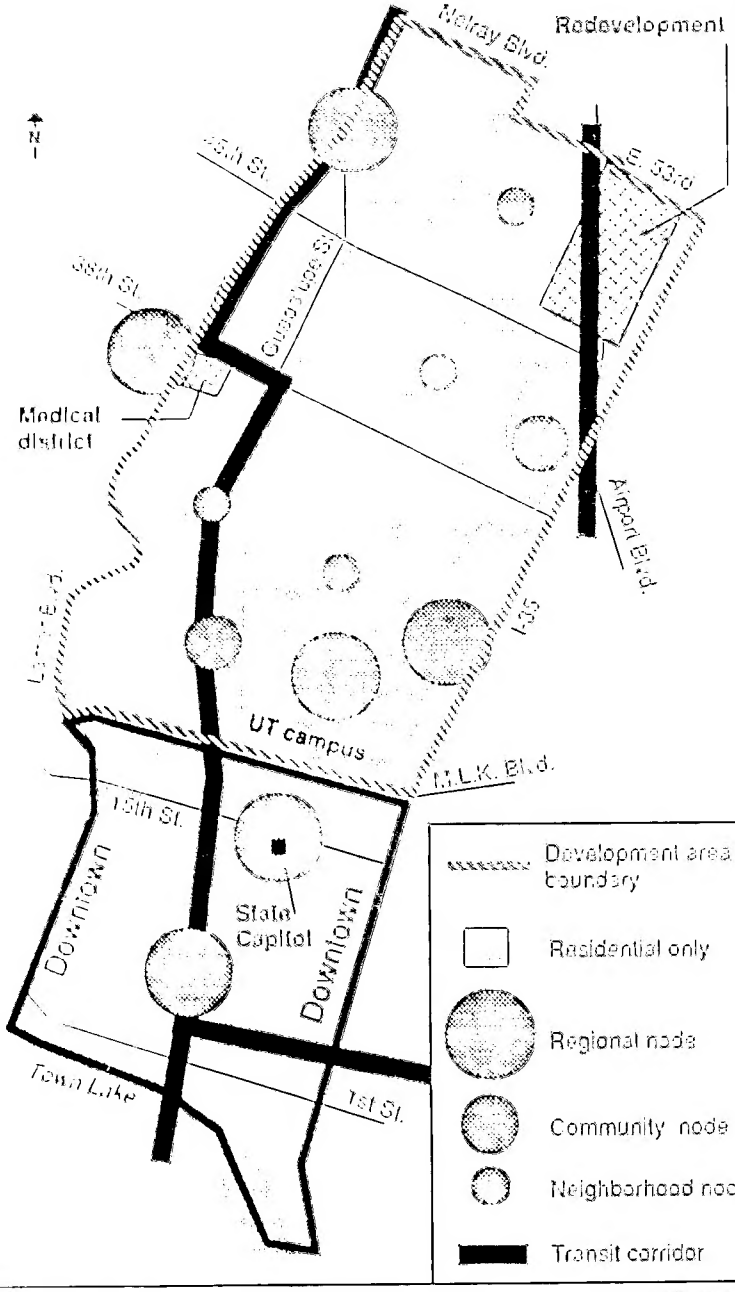
p. 54
II,A Objective A:
A long range plan that ensures a reliable mix of energy sources.

Policy 1: The development of alternate fuels as generation sources should be promoted, including a reevaluation of the City's current long range plan for alternatively fueled generation.

r city residents, o

Austinplan, Sector 1

Austinplan divides the city into 14 sectors, with Sector 1 being the downtown, University of Texas area. It is the most densely populated and intensively developed sector and is the primary focus of Austinplan. The plan calls for nodes, which is an area of concentrated employment, retail and residential development. The plan calls for concentrated development rather than strip centers.



Staff graphics

Austin Plan 12/7/89

Submitted Jerome Ernst

Urban Design Land Use

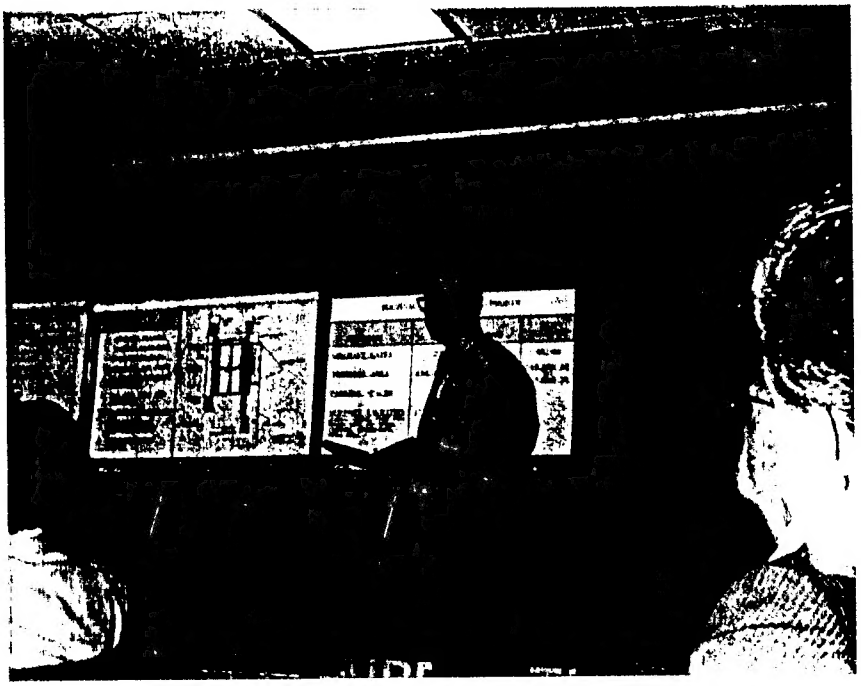
Identification of Critical Issues

Urban design is the ...

When the Airport is moved would like to designate Robert Mueller as (an Uptown Urban area)

To create an uptown area that economically supports new hotels, malls, & neighborhoods surrounding the present Robert Mueller area which

promotes entertainment, art & cultural activities
promotes a balanced mix Land use which include a park & green belt & provides development through use of a comprehensive uptown plan,



RECEIVED
OCT 10 1989
CITY MANAGER'S OFFICE

To: Camille Barnett -Austin
City Manager
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Councilmembers _____

Copies: Ridgetop Neighborhood Assn. -Mr. Garry Wilkison
C. A. R. E.- Alice Embree
Schieffe Neighborhood Assn.
Mr. Seekins
Cherrywood Neighborhood Assn.
Manor Area Neighbor Organ.
Susan Ridgway Garry
Blackland Neighborhood Assn.
Mr. Kathryn Poole

10-10-89

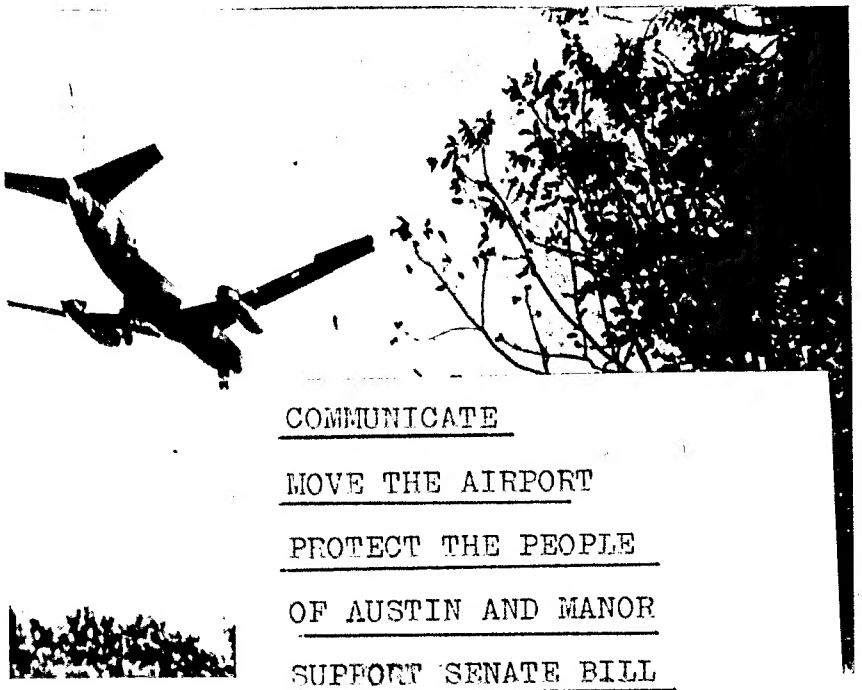
Pictures to the left were taken at the presentation of Technical Reports 5,6,7,8 for the NEW AIRPORT AT MANOR MASTERPLAN PROCESS to the Airport Citizens Advisory Board meeting.

Some of the presentation dealt with the runway layout for the new airport at Manor.

The two parallel runway concept was presented as one of the better layouts (See picture to the left).

The configuration or star layout is not suggested.

The Public Meeting is October 18, 1989 at 7:00P.M. at the Texas Exposition and Heritage Center.



COMMUNICATE

MOVE THE AIRPORT

PROTECT THE PEOPLE

OF AUSTIN AND MANOR

SUPPORT SENATE BILL

1707

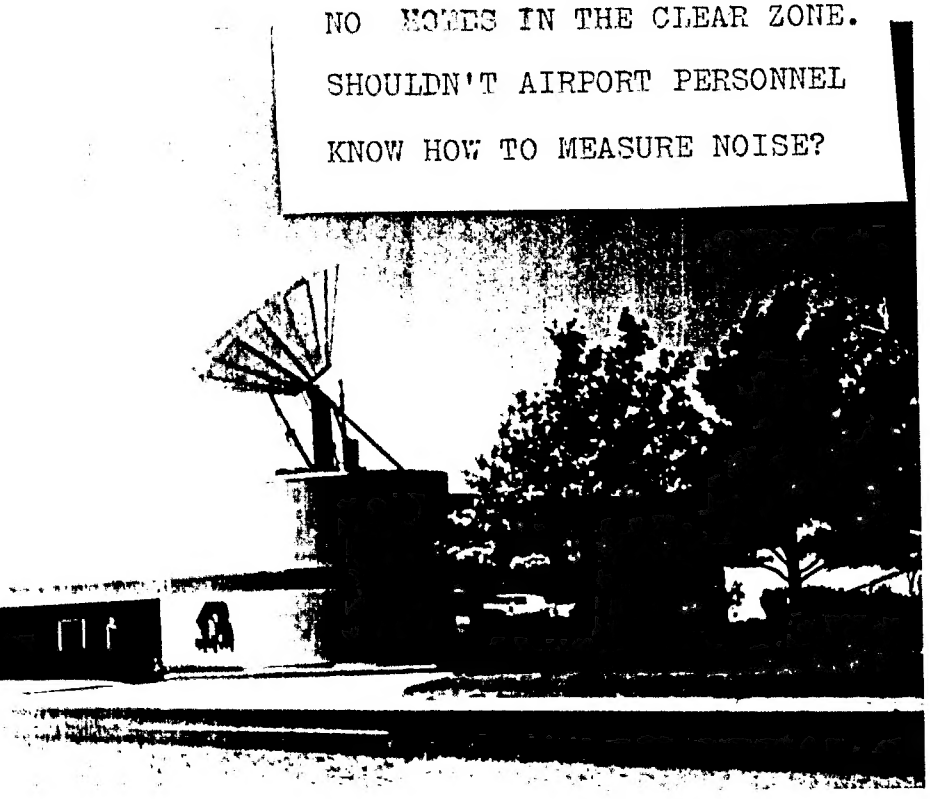
THE NOISE ABATEMENT ACT.

N O m O R E N O I S E

NO HOMES IN THE CLEAR ZONE.

SHOULDN'T AIRPORT PERSONNEL

KNOW HOW TO MEASURE NOISE?



"To avoid imposing unnecessary aircraft operating restrictions and incurring disproportionate construction and maintenance costs adequate space should be provided to permit runways to be developed to meet long-term requirements."

Page 31 Airport Master Planning

To provide for the future a AIRPORT LAND BANK IS REQUIRED.

Perhaps another runway is needed. Perhaps a park for the Manor people is needed.

DOESN'T SOMEONE NEED TO DETERMINE HOW MUCH LAND CAN WE AFFORD TO BUY?

A copy of the RECOMMENDATION FOR COUNCIL ACTION IS ATTACHED TO AUTHORIZE THE CITY MANAGER TO BUY LAND.

Jerome Ekroll
912½ E 50 St
Austin, Texas 78751

2

CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NUMBER: 2

AGENDA DATE: Oct. 12, 1989

PAGE ONE OF 1

SUBJECT:

Authorize City Manager to determine property interest, negotiate with landowners, and purchase property interest for the New Austin Airport.

ORDINANCE ☐
RESOLUTION ☒
OTHER (SPECIFY):

AMOUNT AND SOURCE OF FUNDING:

Included in Aviation C.I.P.

REQUESTED BY (Department or other point of origin):	DIRECTOR'S SIGNATURE:	CITY MANAGER AUTHORIZATION:
Aviation Department		
FOR ADDITIONAL INFORMATION - CONTACT:	**DEPARTMENT:**	**TELEPHONE NUMBER:**
Charles A. Brothers	Law	499-2164

DATE AND IDENTIFICATION OF PRIOR COUNCIL ACTION:
N/A

BOARD AND COMMISSION ACTION:
N/A

The proposed resolution would authorize the City Manager to identify the property interests required for the new airport and to then negotiate and purchase the required parcels without the necessity of returning to Council for each parcel. A similar resolution was passed by Council for the U.S. 183/290 projects on November 5, 1987, and has worked well.

The resolution does not authorize condemnation. If the landowner will not accept the appraised value, Council action will be required.

This resolution will permit the City Manager to determine which parcels and prope interests are required for the project using the criteria approved by the City Council in the City of Austin Property Acquisition and Relocation Assistance Procedures Manual. Although Council approved the airport site and published its boundaries on November 10, 1987, the actual parcels required for the entire project have not been determined and are subject to change through the Master Plan process.

Once parcels and property interests are determined, the City Manager would be authorized to negotiate with owners and purchase the property at the approved appraised value. The approved appraised value is determined by using two appraisals a review appraisal and review by the FAA. Accordingly, this resolution would permit purchases approved by FAA for reimbursement without further Council action.

RIDGETOP REPORTER

A PUBLICATION OF THE RIDGETOP NEIGHBORHOOD ASSOCIATION

Volume 1, Number 6 October 1989

I'm Mad as ----, and I'm Not Going to Take It anymore...

The upcoming meeting on October 16th, promises to be the one of the most exciting ones we've had yet. We are billing it as the first, maybe annual neighborhood **GRIPE SESSION.** We are encouraging all residents that have concerns and "gripes" about the neighborhood please come and "add your two cents worth." There will be no presentations, just, hopefully, structured discussions.

About the Last Meeting...

Allen Hughes, of the City Transportation and Public Services Department, presented the features of the Transportation System Management (TSM) study, originally begun in 1986. Mr. Hughes presentation included those parts of the study, that included all of RM 2222, that mainly affected our neighborhood. That being Koenig Ln. between Airport Blvd. and Burnet Rd.

Of primary interest to our neighborhood is the prospect of the installation of a traffic signal at Avenue F and Koenig Ln. This signal would relieve a long-standing problem of access from the Skyview area on to Koenig Ln. during "rush-hour." Mr. Hughes, at our request, suggested that we might contact the department management in order to expedite priority for the traffic signal.

Volunteers Needed to Help Neighbors

Can you imagine not being able to get to the grocery store or the doctor? Can you imagine how helpless that might make you feel? It is often a daily concern to many in our neighborhood. North Central Caregivers of Austin has been organized to help meet the needs of our older neighbors; such as providing handy-man services, transportation for medical appointments, run errands and providing telephone contact. Nothing in this world feels as good as giving. To volunteer, please call 453-2273.

Future Meetings

October 16, November 20, January 15 Its the third Monday of each month-so mark your calendars now. There will be no December meeting.

GENERAL MEETING

WHEN: 7:30 P.M., Monday, October 16th, 1989
WHERE: Trinity United Methodist Church, 600 East 50th St.

ComputerTutor

PHYLLIS MUSKA
512-453-7751

WordPerfect
CERTIFIED INSTRUCTOR
PC TRAINING, CONSULTATION, & APPLICATIONS DEVELOPMENT
5401 AVENUE F · AUSTIN, TEXAS 78751

AUSTIN TV & ELECTRONICS, INC.
5207 Airport Blvd.
Austin, Texas 78751
458-1304

- SALES
- SERVICE
- RENTALS

Jim & Barbara Bond

Sunday Schedule
9:30 a.m. Sunday School
11:00 a.m. Morning Worship
(Our Chancel and Children's Choirs have a PLACE FOR YOU!)

TRINITY UNITED METHODIST CHURCH
A Home Town Church Only Blocks Away

Dr. Sid Hall, Pastor
600 E. 50th St. 459-5835
(One block east of Duval on 50th St.)

Newsletter Ads

Businesses, organizations and individuals wishing to help with expenses of publishing this newsletter and developing neighborhood business are encouraged to advertise with us. Our rates are as follows:

Business Card:$20 Half Page:$60 Quarter Page: $40 Full Page:$100

These rates are based on per issue run with no less than 1500 issues distributed. Contact Garry Wilkison at 451-2986 or Mary Kay Sexton at 459-5907. Deadline for October issue is Monday, October 23rd.

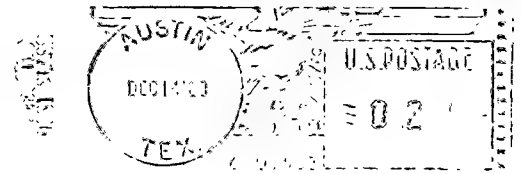
RIDGETOP NEIGHBORHOOD ASSOCIATION MEMBERSHIP FORM 10.00/YR

Name_____ Date_____

Address_____ Phone_____
YES ( ) I'll walk my block to distribute newsletters.
What improvements would you like to see in our neighborhood?

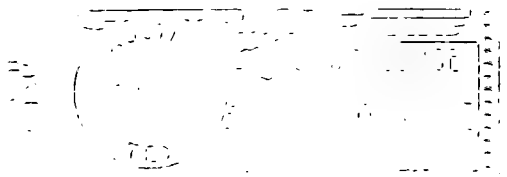
Make check payable to Ridgetop Neighborhood Association, P.O. Box 49246, Austin, Texas 78765

City of Austin
LAW DEPT/RISK MANAGEMENT
P.O. BOX 1088
AUSTIN, TX 78767



Mr. Jerome E. Kroll
912 ½ E. 50th Street
Austin, Texas 78751

AUSTIN TRAVIS COUNTY HEALTH DEPT.
15 WALLER STREET
AUSTIN, TEXAS 78702-5291



Jerome E. Kroll
912 1/2 E. 50th St.
Austin, Texas 78751

City of Austin

CITY MANAGER'S OFFICE

GEORGE EVERTSON, R.S.
SANITARIAN
ENVIRONMENTAL HEALTH SERVICES

Air Pollution
Program
Austin-Travis County
Health Department

15 Waller St.
AUSTIN, TEXAS 78702
512/469-2015

TEXAS AIR CONTROL BOARD

West Loop Plaza, 900 N. State Highway 6, Suite E
WACO, TEXAS 76710

~~ENGINEER FULTON~~ Stephen Belyea
~~REGIONAL SUPERVISOR~~
REGION III

817-772-9240

To: George Evertson R. S.
Air Pollution Program
Stephen Belyea
Texas Air Control Board
Camille Barnett-Austin City Manager
Mayor Cooke
Mayor Pro Tem -Sally Shipman
Councilmembers _____

Copies:
Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
C.A.R.E- Alice Embree
Schieffe Neighborhood Assn.
Mr. Seekin
Manor Area Neighbor Organ
Susan Ridgway Garry
Sierra Club
Brentwood Neighborhood Assn
Ms. Gail McDonald
Delwood Two Neibhborhood Assn.
Cherrywood Neighborhood Assn.
Sierra Club

10/05/89

On 10-04-89 I found these two calling cards inserted into my door.

The card says

AIR POLLUTION- to me this means

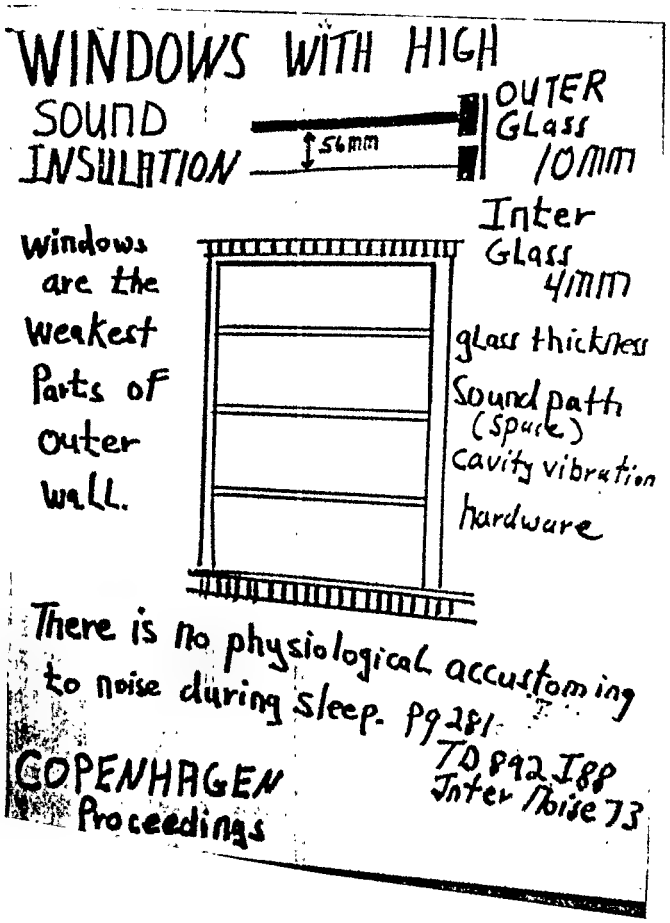
N O I S E P O L L U T I O N.

Did you come to help the neighborhood measure noise?

Can you determine if the residents are being over expose to noise?

Did you come to help ask the City of Austin to soundproof our windows?

When does the noise from the heavy aircraft hurt us?



Can you calculate LDN NOISE READINGS FOR ME?

Can you process acoustical data with an off site computer?

Did you bring instruments to measure vortex winds from the haavy aircarriers?

Can you determine how to free our environment from aircraft noise nuisance.

Is there a noise nuisance law?

Is there a serious noise nuisanse around RMMA?

Can you find a way to keep our environment from noise levels above .65 to 70 DBA?

Please tell me who you are?

Who sent you, how you can help me and the neighorhood have a safe environment?

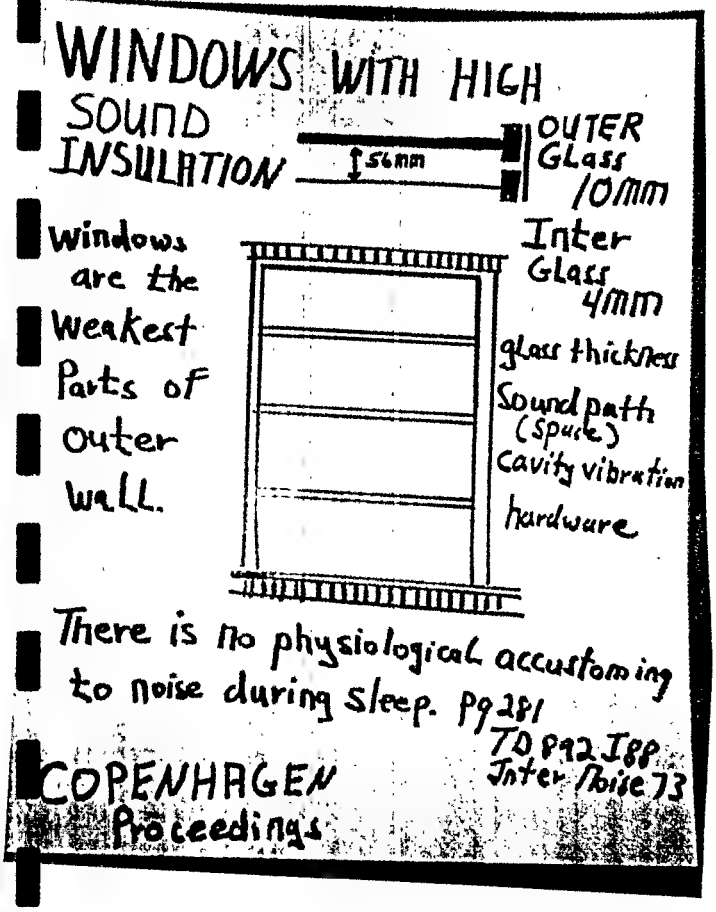
Can you extend the curfew?

My neighbor states that you were inside my property fence line picking up leaves.

Can you tell me what you are going to do with the leaves you place into plastic bags?

Are you tracing down noise pollutors?

Shown to the left are some pictures of aircraft near ...



and over my home.

I read in the book "Inter Noise"

"There is no physiological accustoming to noise during sleep?

Is this true?

AIR POLLUTION MEANS NOISE POLLUTION.

Will you help stop

NOISE POLLUTION/AIR POLLUTION?

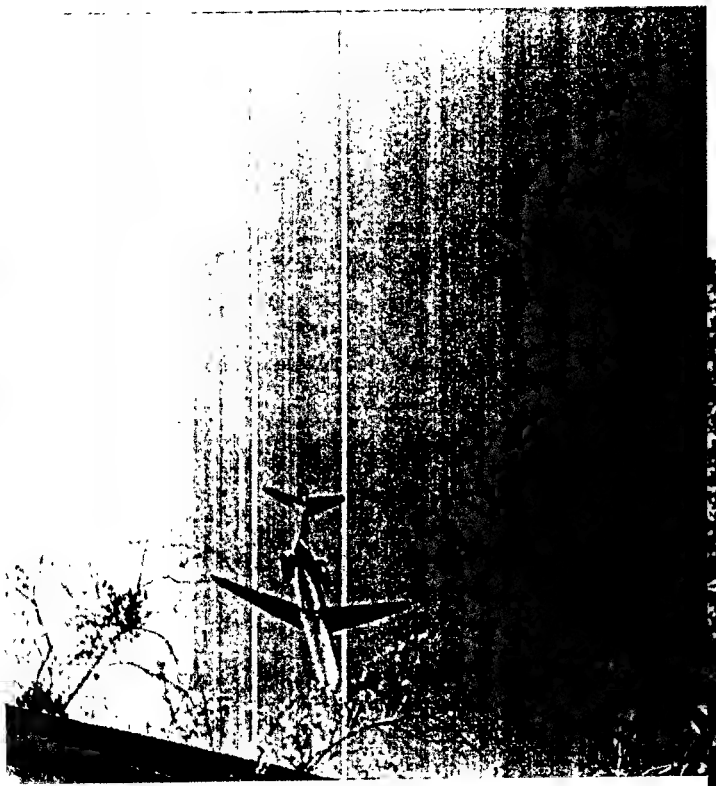
Please reply in writing within 10 working days.

Sincerely

Jerome E. Kroll

Jerome E. Kroll
9121/2 E. 50 St.
Austin, Texas 78751

Attachment



To: Camille Barnett 10/5/89

RIDGETOP NEIGHBORHOOD ASSOCIATION
Post Office Box 49246
Austin, Texas 78765

Austin City Council:
Honorable Mayor Lee Cooke
Honorable Councilmember Dr. Charles Urdy
Honorable Councilmember Robert Barnstone
Honorable Councilmember George Humphrey
Honorable Councilmember Michael Nofzinger
Honorable Councilmember Smoot Carl-Mitchell
Honorable Mayor Pro-Tem Sally Shipman
P.O. Box 1088
Austin, Texas 78767

Dear Mayor and Councilmembers,

The Ridgetop Neighborhood Association would respectfully request that the Austin City Council and City of Austin staff please work with Mr. Jerome Kroll, of 912 1/2 East 50th Street, to resolve problems that the existing airport has created not only for him but for all residents of the neighborhood. Mr. Kroll has sent copies of all correspondence to the neighborhood association. It would appear that there are quite a number of questions asked of the City; with Mr. Kroll reporting that there has been little or no response. The Ridgetop Neighborhood Association respectfully requests that the Austin City Council or designate please answer all inquiries made by Mr. Jerome Kroll.

Thank you for your prompt attention to these matters.

RECEIVED
OCT 05 1989
CITY MANAGER'S OFFICE

Sincerely,

Garry Wilkison, President

Dewayne Naumann, Vice-President

Mary Kay Sexton, Treasurer

Don Gunkel, Secretary

cc: Camille Barnett, Austin City Manager
Mr. Jerome Kroll

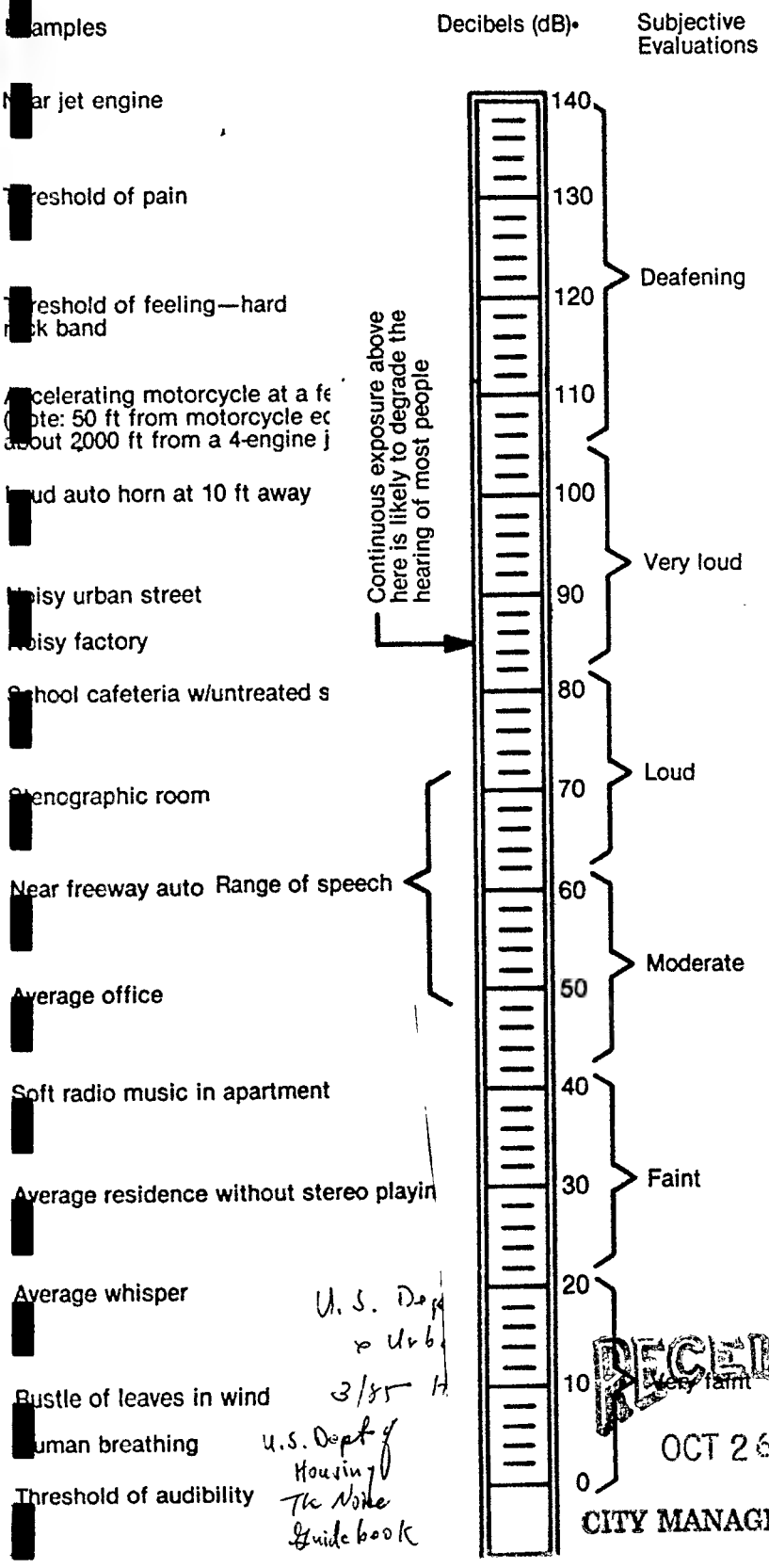
AUSTIN TX
PM
5 OCT
1989

25 USA

top Neighborhood
Box 49246
n, TX 78765

[F]igure 1
[C]ommon Sounds
Basic Theory: Common Sounds in Decibe (dB)

[S]ome common, easily recognized sounds listed below in order of increasing sound intensity levels in decibels. The sound lev [s]hown for occupied rooms are typical ger [a]ctivity levels only and do *not* represent criteria for design.



U.S. Dept of Urb 3/85 H

U.S. Dept of Housing The Noise Guidebook

To: Fred Rodgers P.E. Division Director
Environmental Health Services
Camille Barnett-Austin City Manager
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Councilmember _____

Copies: Ridgetop Neighborhood Assn.
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Schieffe Neighborhood Assn.
Mr. Seekin
Manor Area Neighbor Organ
Susan Ridgway Garry
Cherrywood Neibhborhood Assn.

10-25-89

Complaint: To refute the Health and Human Services Dept-Environmental Health Services Division letter of 10/20/89.

I REFUTE THE STATEMENT

"...pertaining to noise pollution, the City of Austin has no legal jurisdiction in the regulation of noise created by aircraft."

The City of Austin under Article X PLANNING Sec 4 and 5 has the authority to mitgrate noise levels by following the 1977 Airport Master Plan .

1. To enact building codes require for housing and public buildings in the vicinity of airports to be appropriately I N S U L A T E D (B-2).

2. To require appropriate notice of airport noise to purchasers of real estate near airports. (B-2)

3. To acquire noise suppressing equipment, and construction of physical barriers. (B-2)

The City of Austin and Aviation Dept are given power through ordinances (Chapter 3) to

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Legal Provisions

General Legislation and Background

The Federal legislation which addresses noise issues is somewhat different from other environmental legislation. The Clean Air Act, for example, required the Environmental Protection Agency to set up actual mandatory standards for air quality which were supposed to be met by all jurisdictions. EPA even has the authority to take punitive steps against cities which are not making "reasonable further progress" towards achieving these air quality goals. There is no similar legislation that covers noise. The approach has been to tackle the noise problem at the source by controlling the amount of noise that can be emitted by the individual airplane engine or the individual jackhammer. Agencies like HUD or the Farmers Home Administration have developed regulations which are related to the overall community noise level, but they only affect their own programs and are not binding on local communities. The Veterans Administration program only relates to aircraft noise and also only affects its own programs.

The major pieces of Federal legislation related to noise include:

The Noise Control Act of 1972 directed EPA to promote an environment for all Americans free from noise that jeopardizes their health and welfare. It also included a requirement for EPA to set a criterion for noise level adequate to protect health and welfare with an adequate margin of safety but without regard to cost or feasibility.

Quiet Communities Act of 1978 amended The Noise Control Act of 1972 to encourage noise control programs at the State and community level.

Federal Aid Highway Act of 1970 established the requirement that noise control be a part of the planning and design of all federally aided highways.

Aviation Safety and Noise Abatement Act of 1979 requires FAA to develop a single system for measuring noise at airports and under certain conditions to prepare and publish noise maps.

Page 2 Jerome E. Kroll

CONTROL, REGULATE, MITGRATE NOISE

By airline user fees which could give an incentive for more Class 3 aircraft.

by imposing curfews

by prohibiting operation of certain aircraft

by imposing flap control procedures

by assigning preferential approach and departure flight tracts .

The City of Austin has recently applied for Grants from FAA for RMMA which assures that certain Noise abatement procedures will be followed in various Federal Acts.

The state of Texas has recently passed S.B. 1707 which instructs the City of Austin to comply with the Noise Abatement Act of 1979.

In my opinion DNA readings of aircraft noise over my house indicate that I am being over exposed to noise which

CONTINUOUS EXPOSURE ABOVE 84 dBA is likely to degrade the hearing of most people (HUDStandard).

I urge your department to enforce onto the Planning Dept and Aviation Dept all those procedures which will advance the health, comfort, safety and convenience of the citizens around RMMA (Austin Article 1 Sec 3) in regard to noise and air quality.

I conclude that the City of Austin had from 1977 to the present many diffent methods to regulate noise over residense etc.. and that the Environmental Health Services Division has the authority to enforce these regulations as outlined in the 1977 Airport Master Plan and that

Windows

Sound enters a building through its acoustically weakest points, and windows are one of the weakest parts of a wall. An open or weak window will severely negate the effect of a very strong wall. Whenever windows are going to be a part of the building design, they should be given acoustical consideration. Figure 17 illustrates the effects of windows on the sound transmission of walls. For example, if a wall with an STC rating of 45 contains a window with an STC rating of 26 covering 30% of its area, the overall STC of the composite partition will be 35, a reduction of 10 dB.

The following is a discussion of techniques that can be used to reduce noise in a building by means of its windows. These techniques range from a blocking of the principal paths of noise entry to a blocking of the most indirect paths.

Close windows. The first step in reducing unwanted sound is to close and seal the windows. The greatest amount of sound insulation can be achieved if windows are permanently sealed. However, openable acoustical windows have been developed which are fairly effective in reducing sound.[1] Whether or not the sealing is permanent, keeping windows closed necessitates the installation of mechanical ventilation systems. If you are dealing with single family houses and some of the windows are facing away from all noise sources, a whole house fan may be better and cheaper than air conditioning. In multifamily housing or where all windows are exposed to the noise sources you will have to go with the air conditioning. If windows must be openable, special seals are available which allow windows to be opened.[2]

Reduce window size. The smaller the windows, the greater the transmission loss of the total partition of which the window is a part. Reducing the window size is a technique that is used because (a) it precludes the cost of expensive acoustical windows, and (b) it saves money by cutting down the use of glass. The problems with this technique are (a) it is not very effective in reducing noise; e.g., reducing the proportion of window to wall size from 50% to 20% reduces noise by only 3 decibels; and (b) many building codes require a minimum window to wall size ratio.

ncrease glass thickness. If ordinary vindows are insufficient in reducing ioise impacts in spite of sealing echniques, then thicker glass can be nstalled. In addition, this glass can e laminated with a tough transparent lastic which is both noise and hatter resistant. Glass reduces noise y the mass principle; that is, the hicker the glass, the more noise esistant it will be. A 1/2-inch thick lass has a maximum STC rating of 5 dB compared to a 25 dB rating for rdinary 3/16 inch glass.

[1]U.S. Department of Housing and Urban evelopment, A Study of Techniques to ıcrease the Sound Insulation of Building lements, Report No. WR 73-5, Washington, D.C., June 1973.

[2]Los Angeles Department of Airports, *Guide to the Soundproofing of Existing Homes Against Exterior Noise.* Report No. WRC 70-2, March 1970, pp. 9-11, 22-30. In this report, the function and performance of a number of operable seals are described.

the City of Austin is further given authority through Texas Chapter 241 -Municipal and County Zoning Authority Around Airports.

Jerome E. Kroll
2121/2 E. 50 St.
Austin, Texas 78751

Attachments

Jerome E. Kroll
Signature of Affiat

SWORN TO AND SUBSCRIBED BEFORE ME BY Jerome E. Kroll

THIS 26th of Oct, 1989 to CERTIFY WHICH NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

My commission expires 4-28-92

Joyce E. Wilkinson
Notary Public

JOYCE E. WILKINSON
NOTARY PUBLIC
State of Texas
My Commission Expires: 04-28-92

City of Austin

Founded by Congress, Republic of Texas, 1839
Municipal Building, Eighth at Colorado, P.O. Box 1088, Austin, Texas 78767 Telephone 512/499-2000

Health and Human Services Department
Environmental Health Services Division
15 Waller Street
Austin, Texas 78702

October 20, 1989

Jerome E. Kroll
912 1/2 E. 50th Street
Austin, Texas 78751

Dear Sir:

In response to your September 23, 1989 letter requesting an inspection of your property, located at 912 1/2 E. 50th Street, for air pollution by aircraft within Robert Mueller flight paths, a joint investigation was conducted by the Health and Human Services Department and the Texas Air Control Board on October 4.

Three samples of leaves were collected at 912 1/2 and 916 E. 50th Street for analysis of a sticky, mottled, yellowed and browned condition. The results of the laboratory analysis will be reported to you by Mr. Steve Belyea of the Texas Air Control Board, the agency which has jurisdiction in air quality complaints.

In regard to your October 5, 1989, letter which raises several questions and concerns pertaining to noise pollution, the City of Austin has no legal jurisdiction in the regulation of noise created by aircraft. Such authority exists with federal agencies such as the U.S. Environmental Protection Agency and the Federal Aviation Administration. For information on Robert Mueller Airport noise level contours and regulations affecting aircraft, please write:

Gene Faulkner, P.E.
Programs and Planning Branch
Southwest Region
Department of Transportation
Federal Aviation Administration
Fort Worth, Texas 76193-0610

or call (817) 624-5610.

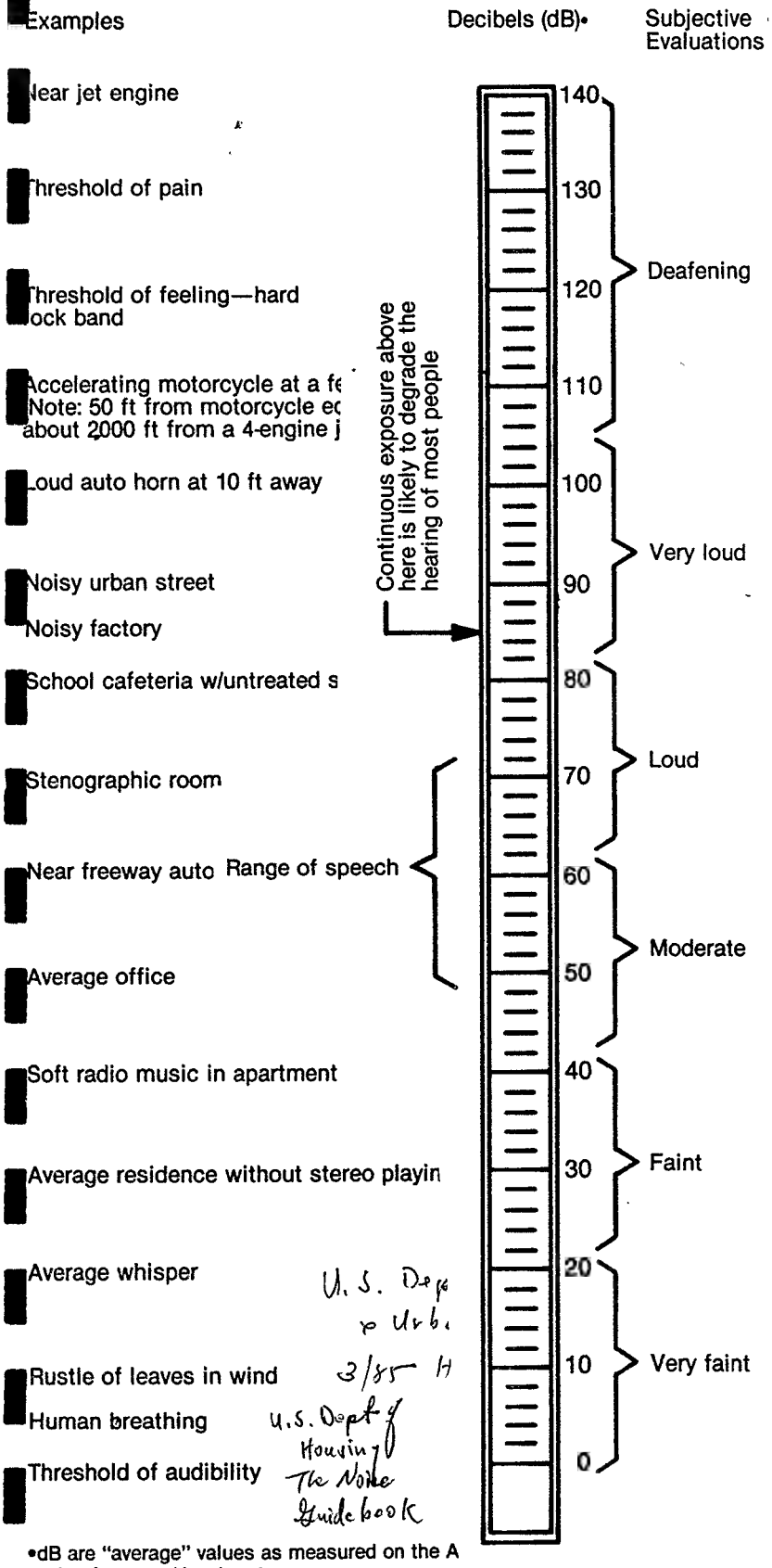
If we may assist you further, please contact me at 469-2015.

Fred Rodgers, P.E., Division Director
Environmental Health Services

cc: Dr. Murphy

Figure 1
Common Sounds
Basic Theory: Common Sounds in Decibe (dB)

Some common, easily recognized sounds listed below in order of increasing sound intensity levels in decibels. The sound lev shown for occupied rooms are typical ger activity levels only and do *not* represent criteria for design.



•dB are "average" values as measured on the A scale of a sound level meter.

U. S. Dept of Urb.
3/85 H
U.S. Dept of Housing
The Noise Guidebook

To: Fred Rodgers P.E. Division Director
Environmental Health Services
Camille Barnett-Austin City Manager
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Councilmember _____

Copies: Ridgetop Neighborhood Assn.
Mr. Gerry Wilkison
C.A.R.E.- Alice Eubree
Schieffe Neighborhood Assn.
Mr. Soekin
Manor Area Neighbor Orgn
Susan Ridgway Carry
Cherrywood Neibhborhood Assn.

10-25-89

Complaint: To refute the Health and Human Services Dept-Environmental Health Services Division letter of 10/20/89.

I REJUTE THE STATEMENT

"...pertaining to noise pollution, the City of Austin has no legal jurisdiction in the regulation of noise created by aircraft."

The City of Austin under Article X PLANNING Sec 4 and 5 has the authority to mitigate noise levels by following the 1977 Airport Master Plan.

1. To enact building codes require for housing and public buildings in the vicinity of airports to be appropriately I N S U L A T E D (3-2).

2. To require appropriate notice of airport noise to purchasers of real estate near airports. (3-2)

3. To acquire noise suppressing equipment, and construction of physical barriers. (3-2)

The City of Austin and Aviation Dept are given power through ordinances (Chapter 3) to

Provisions

ral Legislation and Background

ederal legislation which sses noise issues is somewhat ent from other environmental ation. The Clean Air Act, for ple, required the Environmental ction Agency to set up actual atory standards for air quality were supposed to be met by all lictions. EPA even has the rity to take punitive steps st cities which are not making onable further progress" rds achieving these air quality . There is no similar legislation overs noise. The approach has to tackle the noise problem at ource by controlling the amount ise that can be emitted by the dual airplane engine or the dual jackhammer. Agencies like or the Farmers Home nistration have developed ations which are related to the ll community noise level, but only affect their own programs re not binding on local munities. The Veterans nistration program only relates craft noise and also only affects wn programs.

e major pieces of Federal lation related to noise include:

e Noise Control Act of directed EPA to promote an onment for all Americans free noise that jeopardizes their h and welfare. It also included a rement for EPA to set a criterion oise level adequate to protect h and welfare with an adequate in of safety but without regard to or feasibility.

iet Communities Act of amended The Noise Control Act 72 to encourage noise control rams at the State and community .

ederal Aid Highway Act of established the requirement noise control be a part of the ning and design of all federally d highways.

viation Safety and Noise ement Act of 1979 requires FAA velop a single system for suring noise at airports and under ain conditions to prepare and ish noise maps.

Page 2 Jerome E. Kroll

CONTROL, REGULATE, MITIGATE NOISE

By airline user fees which could give an incentive for more Class 3 aircraft.

by imposing curfews

by prohibiting operation of certain aircraft

by imposing flap control procedures

by setting preferential approach and departure flight tracts.

The City of Austin has recently applied for Grants from FAA for NEMA which ensures that certain Noise abatement procedures will be followed in various Federal rules.

The state of Texas has recently passed S.B. 1707 which in turn the City of Austin to comply with the Noise Abatement Act of 1972.

In my opinion DNL readings of aircraft noise over my house indicate that I am being over exposed to noise which

CONTINUOUS EXPOSURE ABOVE

[illegible] to degrade the [illegible] of most people (HUD83 and).

I [illegible] opportunity to express [illegible] Planning [illegible] [illegible] these procedures which [illegible] [illegible] [illegible]

Windows

Sound enters a building through its acoustically weakest points, and windows are one of the weakest parts of a wall. An open or weak window will severely negate the effect of a very strong wall. Whenever windows are going to be a part of the building design, they should be given acoustical consideration. Figure 17 illustrates the effects of windows on the sound transmission of walls. For example, if a wall with an STC rating of 45 contains a window with an STC rating of 26 covering 30% of its area, the overall STC of the composite partition will be 35, a reduction of 10 dB.

The following is a discussion of techniques that can be used to reduce noise in a building by means of its windows. These techniques range from a blocking of the principal paths of noise entry to a blocking of the most indirect paths.

Close windows. The first step in reducing unwanted sound is to close and seal the windows. The greatest amount of sound insulation can be achieved if windows are permanently sealed. However, openable acoustical windows have been developed which are fairly effective in reducing sound.[1] Whether or not the sealing is permanent, keeping windows closed necessitates the installation of mechanical ventilation systems. If you are dealing with single family houses and some of the windows are facing away from all noise sources, a whole house fan may be better and cheaper than air conditioning. In multifamily housing or where all windows are exposed to the noise sources you will have to go with the air conditioning. If windows must be openable, special seals are available which allow windows to be opened.[2]

Reduce window size. The smaller the windows, the greater the transmission loss of the total partition of which the window is a part. Reducing the window size is a technique that is used because (a) it precludes the cost of expensive acoustical windows, and (b) it saves money by cutting down the use of glass. The problems with this technique are (a) it is not very effective in reducing noise; e.g., reducing the proportion of window to wall size from 50% to 20% reduces noise by only 3 decibels; and (b) many building codes require a minimum window to wall size ratio.

Page 3 Jerome E. Kroll

the City of Austin is further given authority through Texas Chapter 241 -Municipal and County Zoning Authority Around Airports.

Jerome E. Kroll
7121 E. 50 St.
Austin, Texas 78751

Affiant

Jerome E. Kroll
Signature of Affiant

SWORN TO AND SUBSCRIBED BEFORE ME BY Jerome E. Kroll

THIS 26th of Oct, 1989 to CERTIFY WHICH NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

My commission expires 4-28-92

Joyce E. Wilkinson
Notary Public

JOYCE E. WILKINSON
NOTARY PUBLIC
State of Texas
My Commission Expires: 04-28-92

ncrease glass thickness. If ordinary vindows are insufficient in reducing ioise impacts in spite of sealing echniques, then thicker glass can be nstalled. In addition, this glass can e laminated with a tough transparent lastic which is both noise and hatter resistant. Glass reduces noise y the mass principle; that is, the hicker the glass, the more noise esistant it will be. A 1/2-inch thick lass has a maximum STC rating of 5 dB compared to a 25 dB rating for rdinary 3/16 inch glass.

[1]U.S. Department of Housing and Urban evelopment, A Study of Techniques to ncrease the Sound Insulation of Building lements, Report No. WR 73-5, Washington, D.C., June 1973.

[2]Los Angeles Department of Airports, *Guide to the Soundproofing of Existing Homes Against Exterior Noise.* Report No. WRC 70-2, March 1970, pp. 9-11, 22-30. In this report, the function and performance of a number of operable seals are described.

City of Austin

Founded by Congress, Republic of Texas, 1839
Municipal Building, Eighth at Colorado, P.O. Box 1088, Austin, Texas 78767 Telephone 512/499-2000

Health and Human Services Department
Environmental Health Services Division
15 Waller Street
Austin, Texas 78702

October 20, 1989

Jerome E. Kroll
912 1/2 E. 50th Street
Austin, Texas 78751

Dear Sir:

In response to your September 23, 1989 letter requesting an inspection of your property, located at 912 1/2 E. 50th Street, for air pollution by aircraft within Robert Mueller flight paths, a joint investigation was conducted by the Health and Human Services Department and the Texas Air Control Board on October 4.

Three samples of leaves were collected at 912 1/2 and 916 E. 50th Street for analysis of a sticky, mottled, yellowed and browned condition. The results of the laboratory analysis will be reported to you by Mr. Steve Belyea of the Texas Air Control Board, the agency which has jurisdiction in air quality complaints.

In regard to your October 5, 1989, letter which raises several questions and concerns pertaining to noise pollution, the City of Austin has no legal jurisdiction in the regulation of noise created by aircraft. Such authority exists with federal agencies such as the U.S. Environmental Protection Agency and the Federal Aviation Administration. For information on Robert Mueller Airport noise level contours and regulations affecting aircraft, please write:

Gene Faulkner, P.E.
Programs and Planning Branch
Southwest Region
Department of Transportation
Federal Aviation Administration
Fort Worth, Texas 76193-0610

or call (817) 624-5610.

If we may assist you further, please contact me at 469-2015.

Fred Rodgers, P.E., Division Director
Environmental Health Services

cc: Dr. Murphy

To: Camille Barnett 10/5/89

RIDGETOP NEIGHBORHOOD ASSOCIATION
Post Office Box 49246
Austin, Texas 78765

Austin City Council:
Honorable Mayor Lee Cooke
Honorable Councilmember Dr. Charles Urdy
Honorable Councilmember Robert Barnstone
Honorable Councilmember George Humphrey
Honorable Councilmember Michael Nofzinger
Honorable Councilmember Smoot Carl-Mitchell
Honorable Mayor Pro-Tem Sally Shipman
P.O. Box 1088
Austin, Texas 78767

Dear Mayor and Councilmembers,

The Ridgetop Neighborhood Association would respectfully request that the Austin City Council and City of Austin staff please work with Mr. Jerome Kroll, of 912 1/2 East 50th Street, to resolve problems that the existing airport has created not only for him but for all residents of the neighborhood. Mr. Kroll has sent copies of all correspondence to the neighborhood association. It would appear that there are quite a number of questions asked of the City; with Mr. Kroll reporting that there has been little or no response. The Ridgetop Neighborhood Association respectfully requests that the Austin City Council or designate please answer all inquiries made by Mr. Jerome Kroll.

Thank you for your prompt attention to these matters.

Sincerely,

RECEIVED
OCT 05 1989
CITY MANAGER'S OFFICE

Garry Wilkison, President

Dewayne Naumann, Vice-President

Mary Kay Sexton, Treasurer

Don Gunkel, Secretary

cc: Camille Barnett, Austin City Manager
Mr. Jerome Kroll

op Neighborhood
ox 49246
. TX 78765

AUSTIN TX PM OCT

25 USA

RIDGETOP NEIGHBORHOOD ASSOCIATION
Post Office Box 49246
Austin, Texas 78765

Austin City Council:
Honorable Mayor Lee Cooke
Honorable Councilmember Dr. Charles Urdy
Honorable Councilmember Robert Barnstone
Honorable Councilmember George Humphrey
Honorable Councilmember Michael Nofzinger
Honorable Councilmember Smoot Carl-Mitchell
Honorable Mayor Pro-Tem Sally Shipman
P.O. Box 1088
Austin, Texas 78767

October 3, 1989

Dear Mayor and Councilmembers,

The Ridgetop Neighborhood Association would respectfully request that the Austin City Council and City of Austin staff please work with Mr. Jerome Kroll, of 912 1/2 East 50th Street, to resolve problems that the existing airport has created not only for him but for all residents of the neighborhood. Mr. Kroll has sent copies of all correspondence to the neighborhood association. It would appear that there are quite a number of questions asked of the City; with Mr. Kroll reporting that there has been little or no response. The Ridgetop Neighborhood Association respectfully requests that the Austin City Council or designate please answer all inquiries made by Mr. Jerome Kroll.

Thank you for your prompt attention to these matters.

Sincerely,

Garry Wilkison, President

Dewayne Naumann, Vice-President

Mary Kay Sexton, Treasurer

Don Gunkel, Secretary

cc: Camille Barnett, Austin City Manager
Mr. Jerome Kroll

Glen Johnson Evan Wiser Kathy Patmon
Brad Ellis Hal Watson
Patricia Bey

Mr. Wilkinson

4 gates
2 no gates be available

Aug
Sept 10

Tom — Robert
→ Actg Director

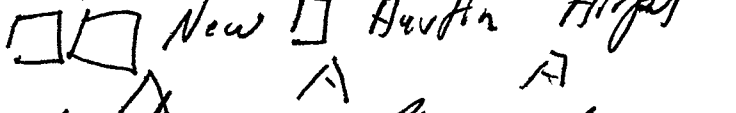
Aug — Increase pass 4.6 — 8.9% Inc passeng Traffic
Freight Total →
Federal Funding Today — New Airport — Accept 5 grant past
1990 10 M Grant FAA. — 10 M Next 5 years
Sept 30, 1989 — Accepted by City Mayor
Oct 19 — Change and Phase 3 — 37,000 Program velocity
Fire Line — Fuel structure
Phase 3 — Sequence Manual — Austin Tenant Schedul
Com 4/90 — completion Phase 3
Two story Expansion →
~~Two~~ Crown room / 406
Airline club room —
Delta — Correspondence — Finish Airline Club — Shell C
406 Change Order
America — Admiral Club — 3 to 5 Gate —
Absorb Abatement 75 day — 2 Week Now — Phase 1 ceiling asbest
Plans increase commuter gate area — concourse 35 flight ady
gate 6
Con ~~serving~~ Airlines — 6 fast flights —

Glen Johnson

Ryt — Tech 7 & 8 Paul Watson —
Master Plan Process — Tech 7 & 8
studies — facilities —

5 & 6 draft — reading final copy
Eng / Utility
7 & 8 — Major mode — 45 Master Plan
Recommendt — alternate detail examine

Tech 9 Semi Eng — computer simulations
Tech 10 — environ — Tonvi — 11 — Refinement
Dec 6 — presentation
Bill Wilkison — Gary Blankship
Bill Wilkison — Concept



Utilities Forecast — Alternative — Phase out
Traffic 1995 —
Davis Mann — Murphy 5 & 6 Engr Engr Studies
Dave Murphy
Tech 6 — utilities open day —
Dave Murphy — 5 & 6 possessions
5 Engr Studies — Preliminary — Conaghan Watershed Ordinance
Cost Estimates
Tech 5 — Topography — soil interp Flood Plain
water quality — drainage plan — Airport Highway
soil — clay — deeper — DFW same Flood Plain Locate runway
effective flood plain — structure passes water — water quality
water — intermittent — rainfall — nitrogen — farming — site grading
need — Final Airport Lighting —
Tech 6 — Utility — Telephone Met Power Solid Wastes —
Concern — most utilities to stay Tel-service Southwest Bell
cable up to site — Not the same Stan — utilities will go down
interval

Pg 6 — Room at Austin Executive — 50 acres of land could be dev ← Try to sell airport

Saving — 20 Knot — 150 wide runway

$11.5 Millions — Program — Rough Terrain — Cross wind Runway Lieman Study

< 3M At Austin Executive

Site grading 3500 ft 75 wide taxiway

GA demand

Gulfstream V

Cross wind — Light single engine aircraft

N/S conflict handle

Exceeding 20 Knot Less 1/2 % — $11½ million

Neither City NO FAA to ban — NO Allocation program

FAA will cover —

Georgetown / San Marcos — Cross wind runway exist —

No Ban — Public Own airport

Evaluation Methodology — cost evaluation — all 10 airfield plus subjected to evaluation factors.

→ Simple — single runway FA (IS) 260,000 ann. (1995) hub 220,10 pass

→ parrall runway 9000 ft apart — 12,000 ft Inter mixing fix 5,800 ft between central terminal

Heavy strong Light

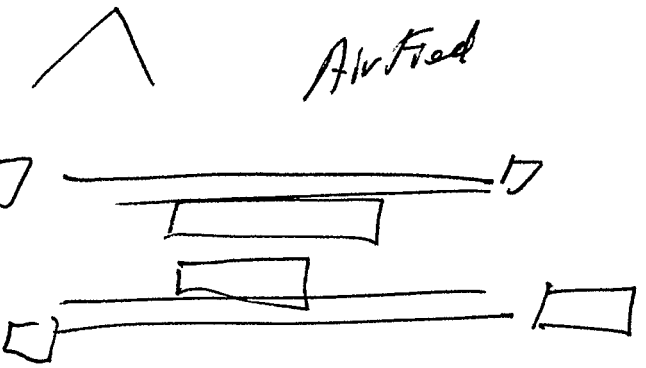
Three runway — 3 way runway — Post 2010 Space 2,500 ft

Three runway — 5000 ft 3 Indep IFR arrival stream — 774,000 operation yes quarter —

TECP — stage runway — reduce taxi distance NO Rank penny ground

South Flow

Pg 7 — Evaluation Process + perform well
2P 2 Parrell runway — steps better closer forward
3P4 — Triple wide space
can grow 3P4
TCB — not close to plan



2P

3380 acres

3P4

2010 Airport

future land

Not needed for Hub

3P4

3000

1990 Price

Recommend Master Plan — Purchase 1130 additional
Foundation stud FAA Task force Airspace Task force
Airspace strat FAA southwest region — master airspace

FAA - Airspace capacity
Airspace strategy — complete Independent

high capacity airspace FAA

MMA - Airspace constant
$ 26.6 million FAA report to give Airspace capacity

Date

Zoning Board — deduction —
Joint Zoning Board

Noise analysis on three runway AOD zones Texas — Compact Height Limitations

non stop stage L
12,000 ft takeoff
Recommended Refinement — taxiway congestion
1995 — 2 phase
Detail Cost Estimates — Initial — due 1/8 2/8 — Gary Blount Thompson
alternate Bill — very concept Review FAA — State

To: Camille Barnett-Austin City Manager
Mr. Brothers-Acting City Attorney
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Councilmembers_____

Copies:

Senator Gonzalo Barrientos-Dist 14 Austin
Represenative Wilhelmina Delco Austin-Dist 50

Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
C.A.R.E.-Alice Embree
Schieffe Neighborhood Assn.
Mr. Seekins
Cherrywood Neighborhood Assn.
Delwood Two Neighborhood Assn.
Manor Area Neighbor Organization
Susan Ridgway Garry
Blackshear Residents-Ms Ora Lee Nobles
Blackland Neighborhood Assn.
Mrs. Kathryn Poole
Brentwood Neighborhood Assn.
Ms. Gail McDonald

10-01-89

SUPPORT THE ENACTED SENATE BILL

1707

An Act relating to noise abatement requirements for certain municipal airports (RMMA).

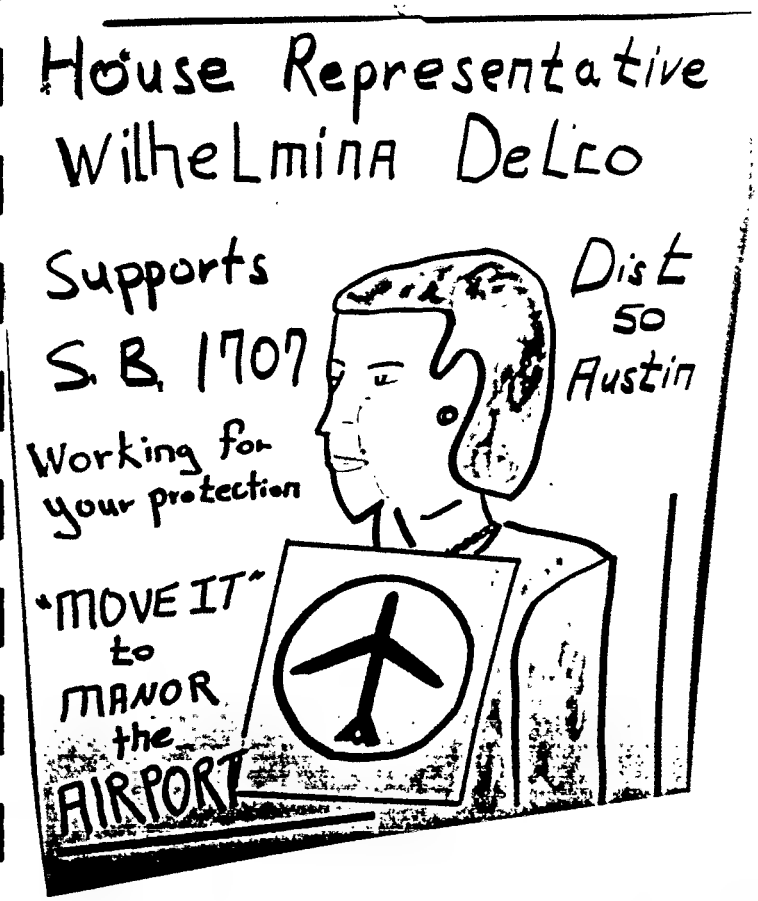
NOISE ABATEMENT REQUIREMENTS

Not later than March 31, 1990 comply with the applicable provisions of the Aviation Safety and Noise Abatment Act of 1979 (49 U.S.C. Sec 2101 et seq.).

++++++++++

Request that the City of Austin carryout the 1977 Master Plan which stated
8.5.7 The impact of aircraft noise upon residential populations is potentially the most critical of all environmental factors

OCT 02 1989
CITY MANAGER'S OFFICE



associated with aircraft operations. The various alternations...are

1. noise reduction at its source.
(Ask the airlines to provide more Class 3 quietier aircraft.)

2. noise abatement flight procedures.

(aircraft flap control and landing displacement on runway when possible.)

3. curtailment of operations,
(extend the night curfew)

4. land use control,
(city should assist in sound proofing buildings in the high contour levels)

5. Special building designs,
(enact Chapter 35 of the building code and assist in soundproofing windows.)

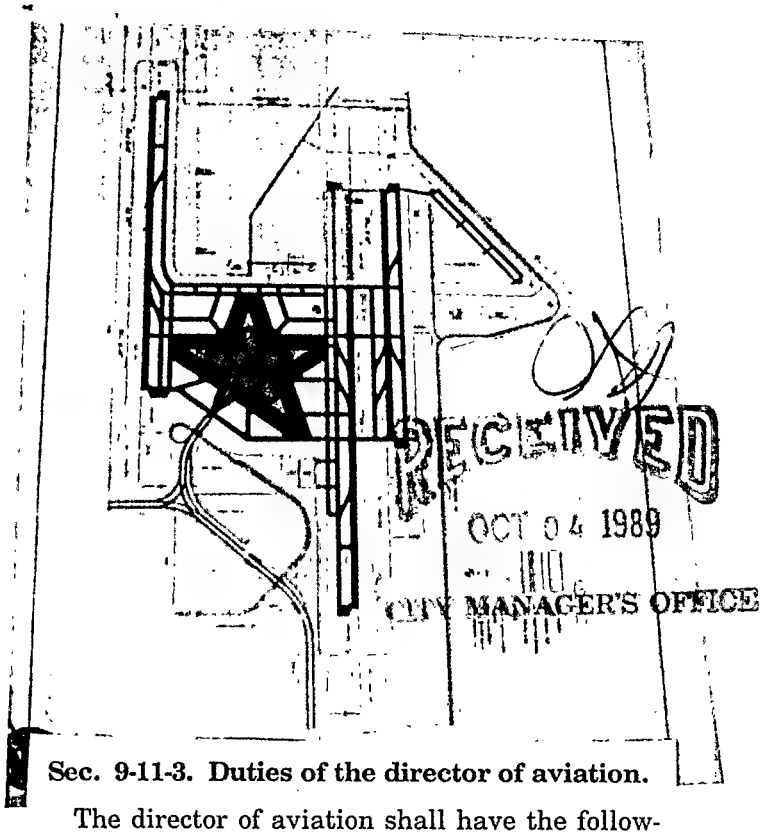
On 9/28/89 State Senator Barrientos said

"...out of concern for the community, he sponsored a new law that mandates the City of Austin install soundproofing materials in three elementary schools near Robert Mueller Municipal Airpot."
Daily Texan

On Dec. 8, 1977 Mr. Kusche (Vice President of R. Dixon Speas Associates) said "... that noise factors will not (improve at RMMA) because of the projected increases in operations.

THUS SUPPORT THE SENATE BILL 1707 THE ACT RELATING TO NOISE ABATEMENT.

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751



Sec. 9-11-3. Duties of the director of aviation.

The director of aviation shall have the following duties:

(1) To take such action as may be necessary to safeguard the public in attendance at an airport.

(2) To either directly or through an air traffic controller suspend or restrict any or all air operations without regard to weather conditions whenever he believes such action to be necessary in the interest of public safety.

(3) Within the budgeted funds available for such purposes, to supervise the planned development, construction, enlargement, improvement, maintenance, equipment, administration, operation, regulation, protection and policing of any city airport.

(4) In consultation with the city manager and city attorney, to supervise, direct, negotiate terms and recommend the approval by the city council of contracts for the use of any airport owned by the city, including runways, taxiways, ramps, aprons, hangars, shops, administration and other buildings, and all other allied appurtenances and facilities, and the director shall supervise the safe and orderly operation thereof and may direct the landing, take-off, taxiing, or parking of aircraft and the vehicular and pedestrian circulation through and control of ground facilities, vehicles and pedestrian traffic in and upon a city-owned airport. (Ord. No. 820715-C, pt. 1)

To: Camille Barnett-Austin City Manager
Mr. Brothers- Legal Dept.
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Councilmember _____

Federal Aviation Administration
Mr. Gene Faulkner

Copies: Mahon B. Garry Jr.-
Attorney At Law

Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
C.A.R.E.
Sierra Club
Manor Area Neighbor Assn.
Susan Ridgway Garry

Subject: AGENDA OCT 5, 1989
Item. 42 Ratification of the City Manager's acceptance of FAA Grant offer in amount of $5m for property acquisition.

Complaint: Procedure of Acceptance is irregular without going through a resolution . Chapter 9-11-3 point 3 and 4 does not allow the City Manager to approve grant , but requires the signature of Director of Aviation.

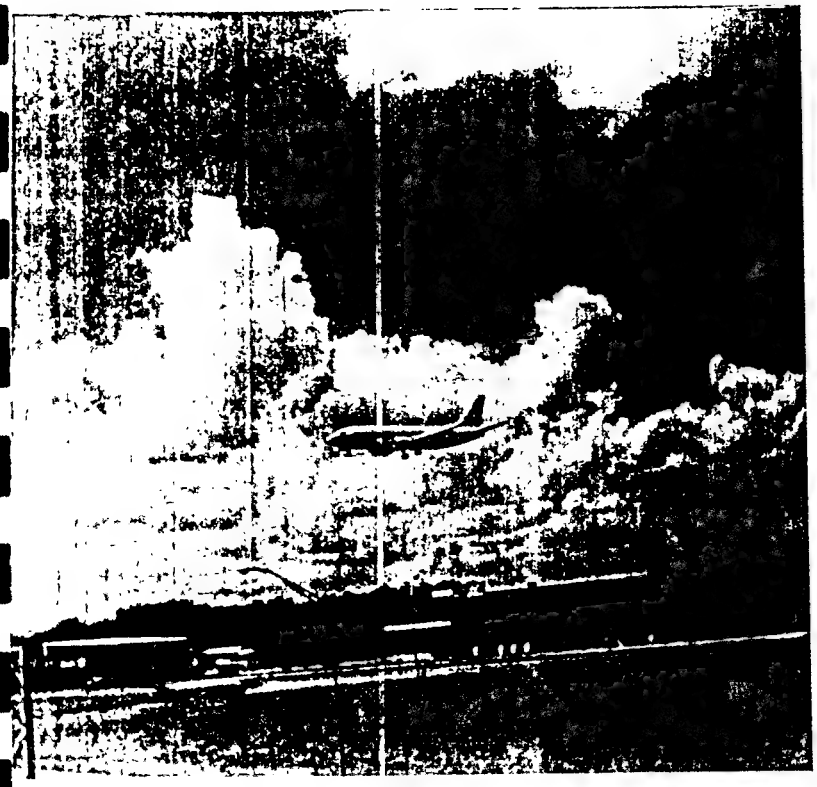
UNDER FAA 152, 117 REQUEST A PUBLIC HEARING BEFORE ACCEPTANCE OF GRANT FOR LAND ACQUISITION OF $5M.

Sec 9-11-3 Point 3 of the City Code authorizes only the Director of aviation to supervise and accept , and merge budgeted Aviation funds for this planned development (land) or enlargement of any city airport.

In my opinion Sec 9-11-3 only allows the City Manager to consult not approve the acceptance of Federal Aviation Administration Grant offer of$5M.

I request to make a copy of the RECOMMENDATION FOR COUNCIL ACTION for $5M grant from FAA.

I request to see a copy of Resolution that accepts grant for $5M.



I hereby give you notice that FAA regulation 152.117 Public Hearings-states the City of Austin must give notice of OPPORTUNITY FOR A PUBLIC HEARING and be published in a newspaper and provide minimum of 30 days from date of notice for submission of request for a hearing by persons having an interest in the project.

Request the City of Austin to have a public hearing before acceptance of grant under FAA regulation 152.117.

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

Jerome E. Kroll
Signature of Affiat

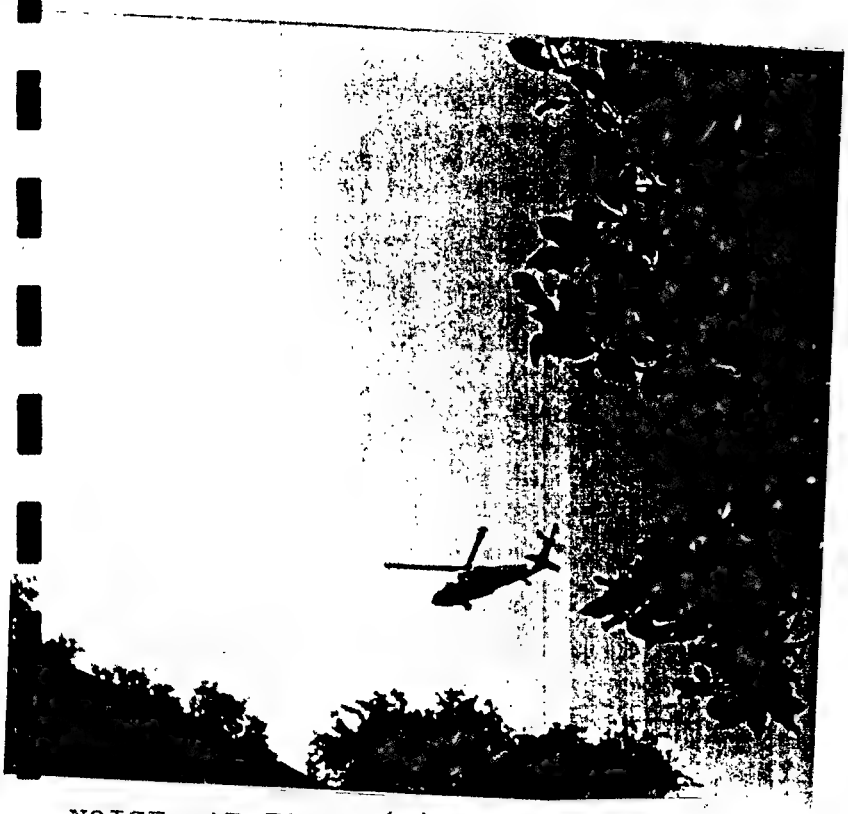
SWORN TO AND SUBSCRIBED BEFORE ME BY Jerome E. Kroll

THIS 4th of Sept, 1989 to CERTIFY WHICH NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

My commission expires 4-28-92

Joyce E. Wilkinson
Notary Public

JOYCE E. WILKINSON
NOTARY PUBLIC
State of Texas
My Commission Expires: 04-28-92

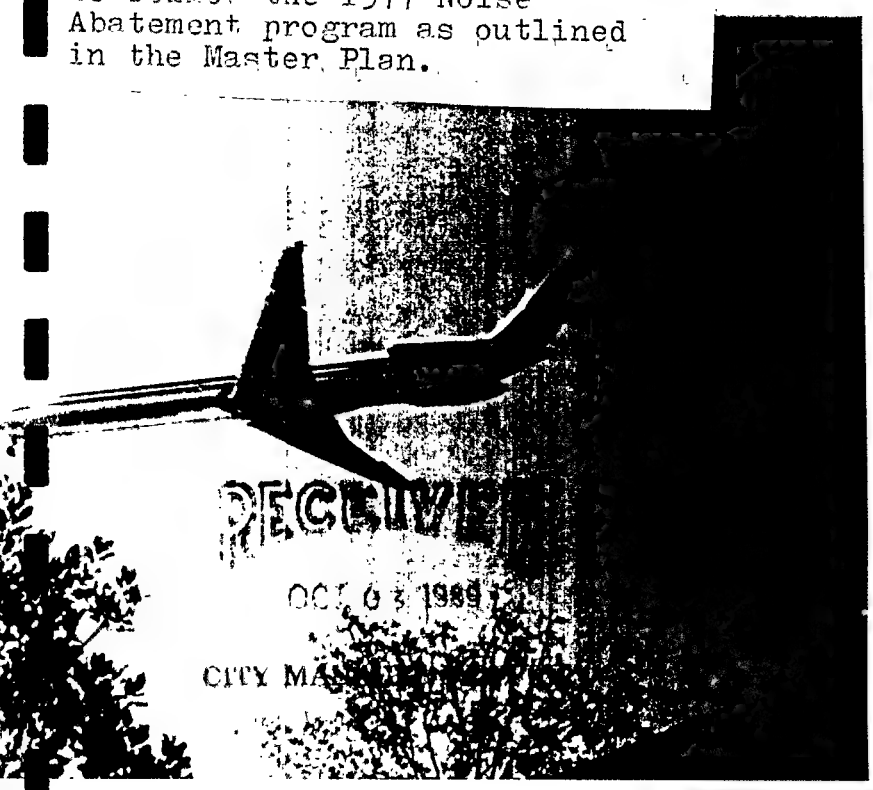


NOISE- AT 70 DB (A) noise drowns out speech.

At 912½ E. 50 St noise measures in the 90 DB (A) and above.

Request the City of Austin to Sound Proof my 1986 built home.

Request the City of Austin to follow the 1977 Noise Abatement program as outlined in the Master Plan.



To: Camille Barnett-Austin
City Manager
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Max Nofziger
George Humphrey
Robert Barnstone
Smoot Carl-Mitchell
Charles Urdy

Copies: Ridegetop Neighborhood Assn. Mr. Garry Wilkison
C.A.R.E.- Alice Embree
Manor Area Neighbor Organization
Susan Ridgway Garry
Sierra Club

10/02/89

AGENDA OCT 5, 1989 ITEM 42

Acceptance of FAA $5,000,000 for property acquistion for new airport.

I support the ratification of accepting $5M (item 42) for property acquistiion for the new Austin Airport if council members will protect the MANOR AREA RESIDENTS THROUGH AN ORDINANCE which will ensure that the City of Austin will carry out the PART II SECTION C POINT1 COMPATIBLE LAND USE in which the City of Austin certifies that it will coply with HUD standards for suitable living environment and FAA land use compatibility guidelines (Attachment 1 of agreement) and that the city will acquire aviagation easements at a fair price ($10,000 est) and other items as outline in attachment 1 of agreement.

The Councilmember are aware that with the acceptance of the $5M grant that they give assurances that the City of Austin will comply with Aviation Safety and Noise Abatement Act of 1979, Airport and Airway improvement Act of 1982, the National Environmental Policy Act of 1969, the Endangered Species Act ,

14 CFR part 150 Airport Noise Compatibility Planning, and that the City of Austin has sufficient funds available to carry out the project not paid for by the United States, and that the City of Austin has given fair consideration to the interest of all Manor Communities near which the project may be located, and that the City of Austin has afforded the Manor residents public hearings for the purpose of considering the economic social and environmental effects and that upon request the City of Austin will submit a copy of such hearings.

If the councilmembers will submit to the above than I support a favorable vo te granted under Article 1 Sec 3 which grants councilmembers the lawful purpose to advance the health, comfort, safety and convenience of the City of Austin Citizens.

Request a written acknowledgement within 10 working days if Council will enact ordinance of CERTIFICATION OF COMPLIANCE.

Jerome E. Kroll

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

Tree on lot line inside 912 E. 50 St.

Picture taken under fallen tree looking up at aircraft.

CITY MANAGER'S OFFICE

To: Camille Barnett-Austin City Manager
Mr. Brothers-Legal Dept.
Mayor Cooke
Mayor Pro Tem-Sally Shipman
Councilmember _____

Federal Aviation Administration
Mr. Anderson
Mr. Gene Faulkner

Copies: Mr. Stuart Henry Environmental Attorney
Mahon B Garry, Jr. -Attorney At Law

Ridgetop Neighborhood Assn
Mr. Gerry Wilkison
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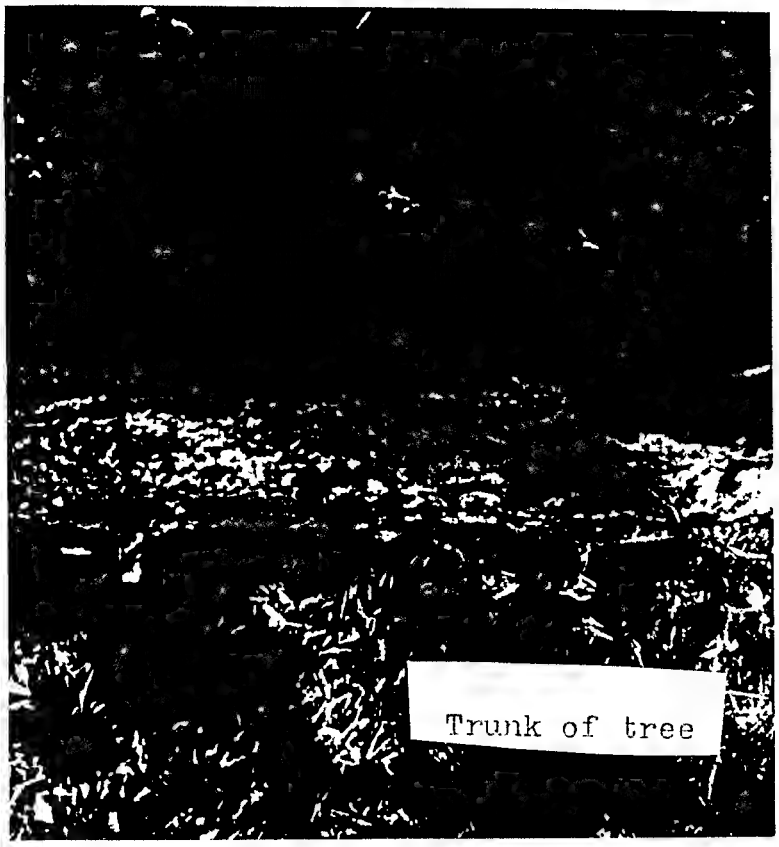
Schieffe Neighborhood Assn.
Mr. Seekins
Manor Area Neighbor Organizatio n
Susan Ridgway Garry
Mr. John Cutright
Cherrywood Neighborhood Assn.
Delwood Two Neighborhood Assn.
Wilshire Wood-Delwood I Neighborhood Assn.

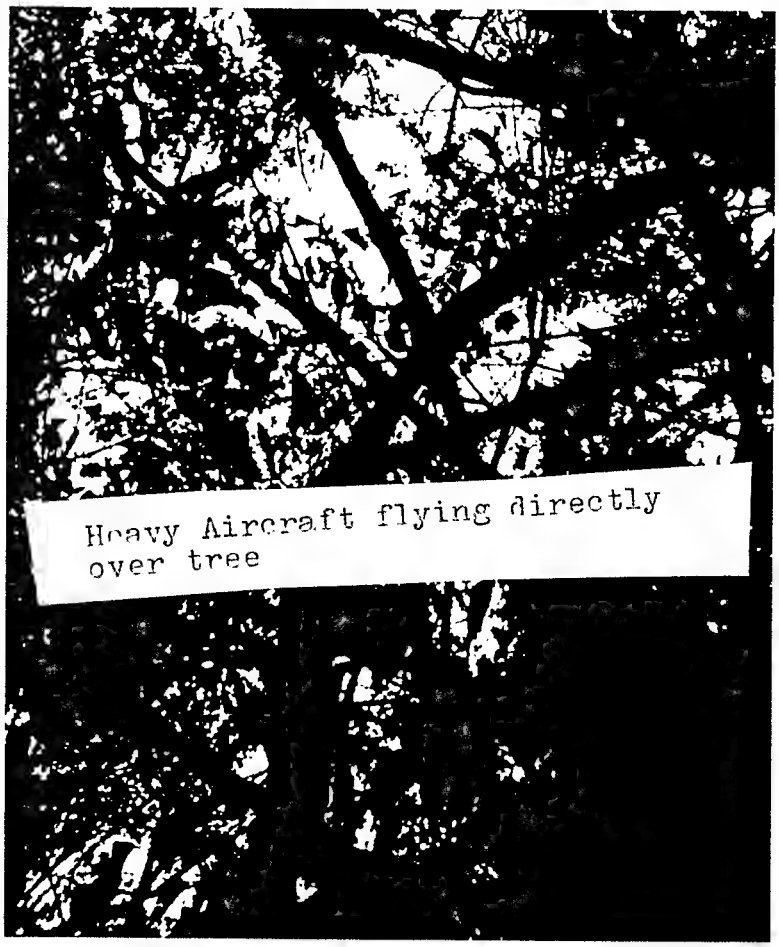
✓ Class Action Party-912 E. 50 St.
Fritsche Family

COMPLAINT: Forty Foot TREE FALLS DOWN ON 9/23/89 at 912 and 912½ East 50 St. (2,670 ft from runway) after noise, vortex and vibrations reach over 90 db (a) from Heavy AIRCRAFT AT ROBERT MUELLER AIRPORT.

On 5/18/89 I filed a complaint at the Robert Mueller Municipal Airport that stated "Public aircraft...flying over my home.... producing hazardous vortex wakes... (causes) bending limbs of trees, and shrubs in an unnatural manner... in violation of the Texas Constitution Article 1, Section 17 in that my property is being taken damaged for applied public use without adequate compensation." Exhibit A

On 9/23/89 on a fair sunny day without any wind storms at about 1:30 P.M. a 40 ft tree which was





on the lot line between 912 and 912½ E. 50 St. fell because of a strong vortex and vibrations of heavy aircraft taking off at Robert Mueller Municipal Airport (see attached pictures.)

The tree age was about 35 years old and was partly decayed at the base caused perhaps of a fungus.

It is my opinion that the tree would not have fallen on 9/23/89 but would have stood longer in a natural upright condition if it were not for the continuing vortex pressure and vibrations/ pollutants caused by heavy aircraft at Robert Mueller airport traffic.

I state in class action thay my property was being taken away in that this tree

GAVE BEAUTY TO THE ENVIRONMENT
GAVE SHADE TO THE PROPERTIES
GAVE HOME TO A BIRD NEST
GAVE HOMES TO INSECTS
GAVE ORGANIC COMPOST
TO THE EARTH
GAVE OXYGEN TO LIFE
GAVE PROTECTION FROM WINDS
GAVE EVAPORATED WATER FOR LIFE
GAVE PROTECTION TO GRASSES
PREVENTED EROSION OF SOILS

was damaged and destroyed by direct and indirect gross neglect by the City of Austin in operating out of an airport that should have been moved many years ago, because the conditions surrounding the airport were such that the city could no longer protect the citizens and the environment as MANDATED BY THE AUSTIN CITY CHARTER.

Thus the owner in class action demands adequate compensation for additional 50 years for

Robert Mueller Municipal Airport

Date Received 5-18-84

Time Received 12:45

Jennifer Kraus

Complainant Name Jerome E. Kroll

Address 912½ East 50 St.

Austin, Texas

Telephone None

NATURE OF COMPLAINT

Public aircraft of various weights/sizes flying over my home (2,900 ft from the runway) in the flaped and unflaped condition have trespassed and descrated my right to peace and religious right to pray in my own form of spiritual life (can 214) by producing hazardous vortex wakes from aircraft wings, tails, and flaps which hit my property and home especially the roof in a strong sometimes violent manner pulling on roofing shingles, bending limbs of trees and shrubs in an unnatural manner, causing me stress, Individual Taking Call sleepless nights, fatigue and other problems which have been occuring for over two years with no extended periods of rest, in violation of the Texas Constitution Article 1, Section 17 in that my property is being taken ~~damaged~~ and destroyed for applied public use without adequate compensation. Since wake hazards posed by aircraft must be analyzed by rollup, aging, atmospheric effects and interaction problems and airport officials will not do a 150 study it must be concluade that these vortexes are a hazard and warrant compensation for damages to persons and property.

Jerome E Kroll 5/17/84

Further Action Required _____

No Further Action Required _____

Exhibit A Shows aircraft near or over my home

Respondent of Further Action: _____ City _____ FAA _____ Other

Specific Name of Individual _____

FOLLOW-UP

_____

_____

_____

_____

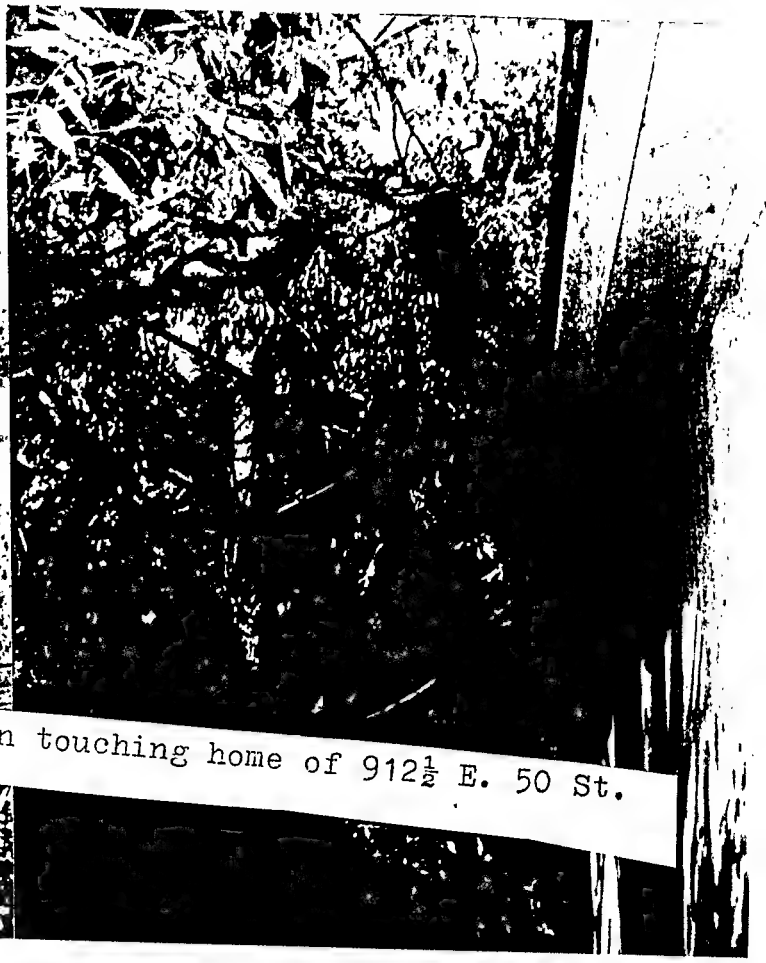
Date Complainant notified of fc

5-18-84

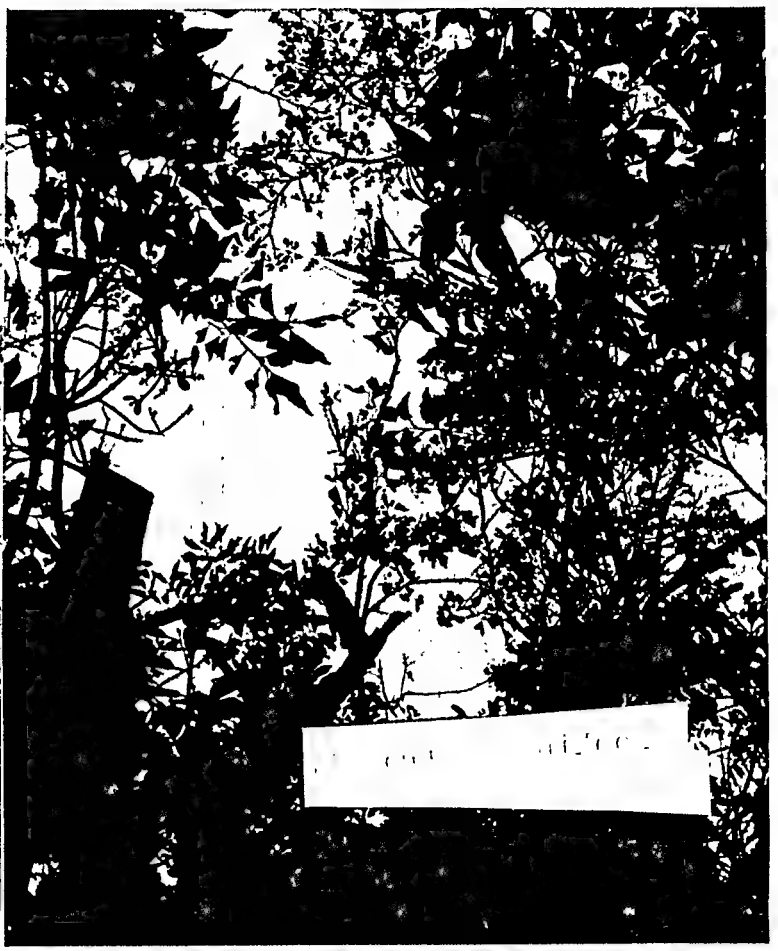
Item On-going _____

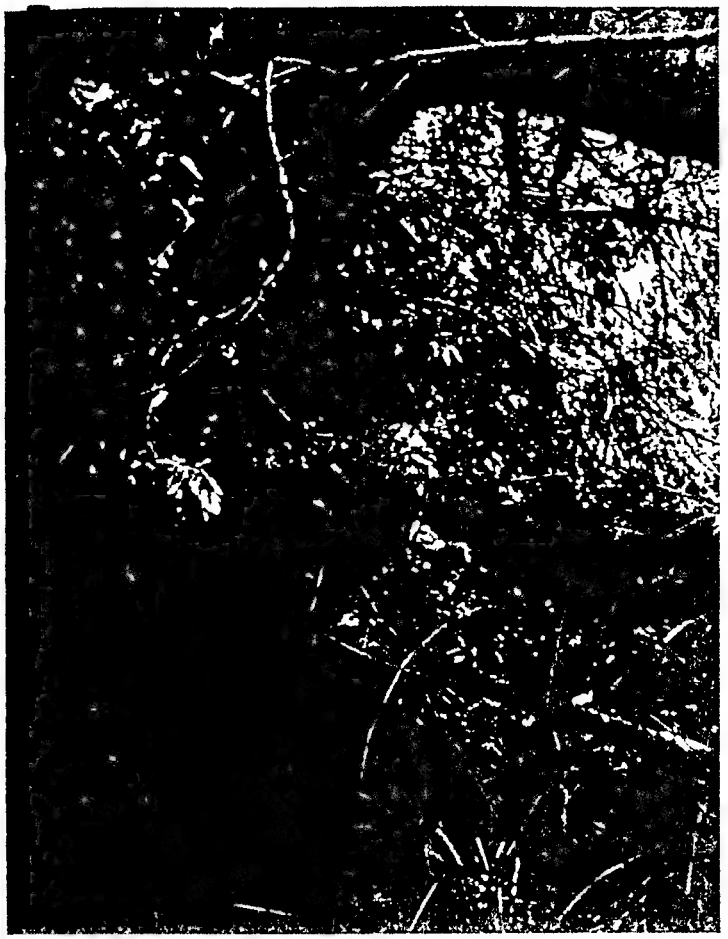
Item Completed _____

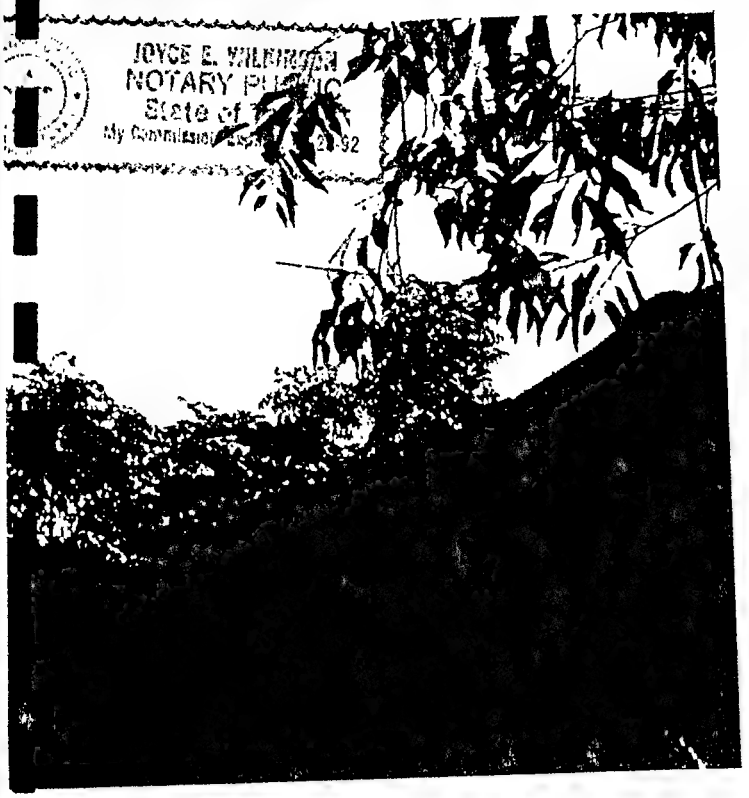
Jerome Ekroll Exhibit B



Crown touching home of 912½ E. 50 St.







all contributions that the tree of life would provide to the residence and environment if the airport were not present, and if all noise and safety rules and regulations had been carried out as outlined by any City, State, or Federal regulating body or as was outlined in Master plans or task force recommendations.

Exhibit A and B

Request a written response within 10 Workday days

Jerome E. Kroll / under class action

Jerome E. Kroll
2123 E. 50 St.
Austin, Texas 78751

Jerome E. Kroll
Signature of Affiat

SWORN TO AND SUBSCRIBED BEFORE ME BY Jerome E. Kroll

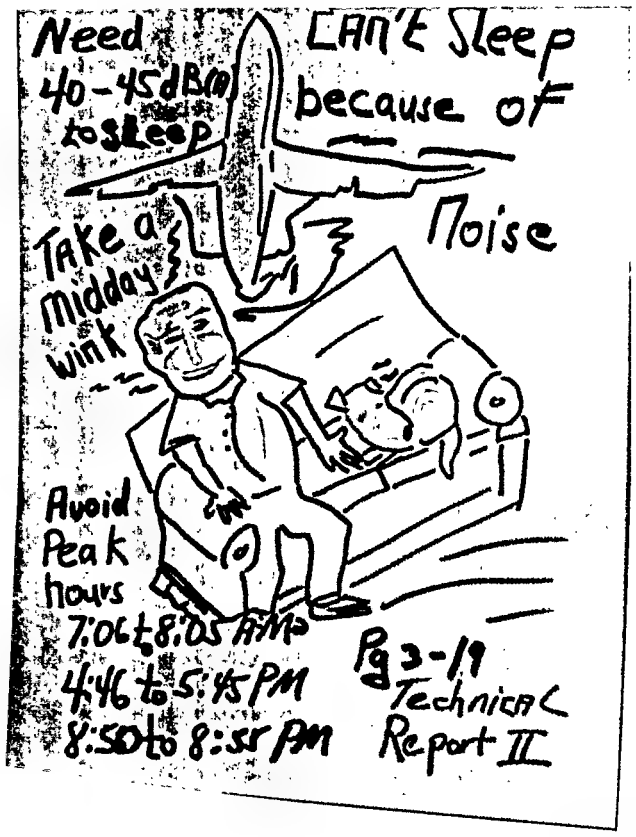
THIS 28th of Sept, 1989 to CERTIFY WHICH NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

My commission expires 4-28-92

Joyce E. Wilkinson
Notary Public

Willie B. Wright's weather forecast

Partly cloudy and windy today. Fair skies tonight. High, mid-70s. Low, near 50. Gusty north wind 15 to 25 mph.


Need 40-45dB(A) to Sleep
CAN'T Sleep because of Noise
Take a Midday wink
Avoid Peak hours
7:06 to 8:05 AM
4:46 to 5:45 PM
8:50 to 8:57 PM
Pg 3-19 Technical Report II

To: Mayor Cooke
Mayor Pro Tem and Councilmembers
Camille Barnett-Austin City Manager
Edward G. O.'Rourke- Deputy Director of Aviation

Copies: Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
C.A.R.E- Alice Embree
Sierra Club

9-18-89

"To limit the probabilily of sleep disruption, single-event noise levels should not exceed 70 EPN dB or about 57 EdB(A)." Page 330 Noise Handbook TD892H355

"Typically the older the individual is, the more likely he is to be awakened or to change sleep stage as a result of environmental noise". pg: 313 NA

"One of the most obvious aspects of reduced efficiency with high ambient noise levels is the interference with spoken communication."

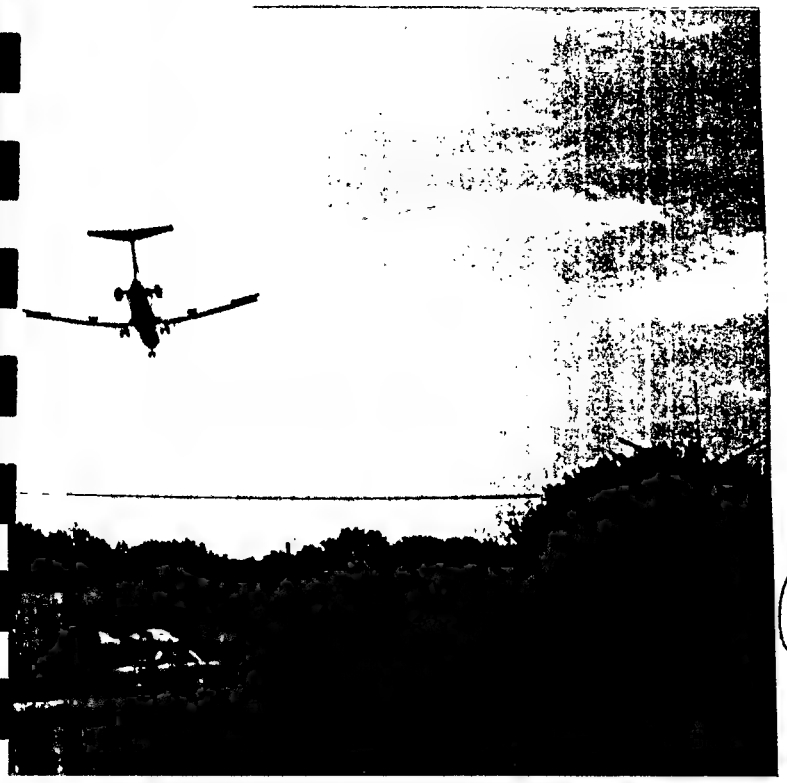
"Effects of masking are of course, even more serious inpurely auditory communication systems, such as the telephone; not only is the listener unable to make use of any such visual cues, but he has to cope with an additional source of noise from the transmission channel itself." Page 341 IBID

"Cognitive tasks , such as those involving memory, may be affected at SPLs as low as 70 or 80 dB, and after only brief periods of work." Page 366

"The most fundamental effect of noise is to bias attention more strongly toward important or subjectively relevant aspects of the tasks."

SEP 27 1989

CITY MANAGER'S OFFICE



What right does the City of Austin have to subject certain people directly under aircraft noise paths to noise levels which may effect their efficiency in performance of work tasks.

Request the City of Austin to respond in writing within 10 working days how it will improve the health and welfare of City of Austin residences who are subjective to high noise levels.

Citizens of the Town Hall Meeting of 1986 stated;

"Speaker's doctor says he is losing his hearing."

"Speaker questions whether RMMA complies with FAA noise guides lines."

"The noise has grown much worse since speaker moved to the neighborhood (1986).

Does the City of Austin have as a responsibility to use part of the

"USER FEES"

to address environmental problems that the City creates?

Sincerely

Jerome E. Kroll

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

Austin plan – Recommendations
Add to Page 2

Rf: On Page 44 Goal IX in Regard to noise pollution needs to be expanded.

(1) The city needs to adopt a noise standard that conforms to HUD, & FAA regulations. (SB1707)

(2) The standard adopted needs to be easily measureable. The dB (A) system is easily measured by a simple noise meter.

(3) The city needs to adopt chapter 35 in the Uniform building codes entitled Interior Sound Transmissions in private & public buildings.

(4) The city needs to adopt an ordinance which outlines the minimum sound insulation requirements for private & public homes in high noise contour Levels,

Pg 3 pg 50
Add the word
HUD & FAA

Jerome Ekroll
912½ E 50th
Austin, Texas 78751

CITY PLANNING COMMISSION
A G E N D A
September 26, 1989
City Council Chambers
307 West 2nd

CALL TO ORDER - 6:00 p.m.

_____Scott Roberts, Chair	_____Carolyn Parker	_____Cal Varner
_____Gail Gemberling	Secretary	_____Jackie Goodman
Vice-Chair	_____Barbara Hankins	_____Henry Gilmore
_____Walter Brown	Assistant Secretary	
Parliamentarian	_____Terry Ortiz	

ORDER OF PROCEDURE

1. Chair announces request.
2. Staff presents a summary of the case.
3. Chair calls on those FAVORING the request.
   a. Applicant's presentation (5 minutes)
   b. Others favoring the request (3 minutes)
4. Chair calls on those OPPOSING the request.
   a. Primary presentation (5 minutes)
   b. Others opposing the request (3 minutes)
5. Applicant is given opportunity to answer objections stated. (3 minutes)
6. Staff summation and questions from the Commission.
7. Public hearing is closed and no further testimony is taken from the public.

All of the following items may be acted upon by one motion. The Commission does not consider items earlier than the time stated on the agenda; "Other Business" items can be taken at any time. After the posted time, the Commission Chairman may announce the item and, if there is no opposition, the item may be taken "by consent" for approval without discussion.

CITIZENS WISHING TO SPEAK BEFORE THE COMMISSION MUST REGISTER BY SIGNING A LIST AT THE ENTRANCE.

Any interested party aggrieved by a decision of the Planning Commission on a Hill Country Site Plan, Conditional Use Permit, or appealed administratively approved site plan, may appeal to the City Council for a review of the Commission's decision upon giving notice in writing, on a form provided by Planning Department to the Director of the Planning Department within fourteen (14) days following the decision of the Planning Commission.

A. MEETING CALLED TO ORDER - 6:00 p.m.

1. Introduce members of Commission and staff.
2. Inform audience of procedure.
3. Approval of Minutes: 5-9-89, 5-30-89, 6-5-89, 6-13-89, 6-20-89, 6-27-89, 7-25-89, and 8-22-89

6:00 p.m.

B. REGULAR AGENDA

1.		Review of Appraisal Requests for Parkland Dedication Fees (continued from 7-25)	
2.		SUBDIVISION MEMORANDUM FISCAL POLICY CONVERSION	
3a.	C8-79-024.01.1(84)	Forest Ridge Section One-A	RECOMMENDED
3b.	C8-79-024.01.2(84)	Forest Ridge Section Two-A	RECOMMENDED
4.	C12m-89-009	Annexation of 9.95 acres into Northwest Travis County MUD No. 2	

7:00 p.m.

5. Public Hearing on Austinplan

C. OTHER BUSINESS

1. Discussion of parking requirements for churches and fire code requirements for access to sites and width of public streets

2. A report on roadways (proposed in AMARP) -- existing and proposed--which could be designated "scenic arterials" and provide information regarding the impact of such a designation

LINE	FILE NUMBER LOCATION	SUBDIVISION NAME	JURISDICTION/ GRID LOCATION STATUS	LAND USE/ ZONING RECOMMENDATIONS	ACREAGE/ LOTS	ACTION
		********** ::: TYPE: FINALS NOT REQ. PRELIMINARIES *** **********				
1.	C8-89-0073.0A 51ST AND EASTERN OWNER(S) : CHAN, DAVID K. G.	ORIENS PARK, AMENDED PLAT OF LOTS 1 - 3, SEC. 5	FULL PURPOSE M24 M24 COMPLETE APPROVAL	LI GR	09.867 3	

LINE	FILE NUMBER/ LOCATION	SUBDIVISION NAME	STATUS	RECOMMENDATIONS	ACTION
		********** *** 30 DAY STATUTORY - FINALS NOT REQ. PRELIMINARIES *** **********			
	C8-89-0087.0A 4206 MEDICAL PKWY OWNER(S) : HIBBERT, WILLIAM	HIBBERT ADDITION	INCOMPLETE	DISAPPROVAL	
	C8-89-0088.0A 1000' N OF DAFFAN GIN RD AND DECKER LA OWNER(S) : CREAGH, BUSTER	CREAGH GOLF COURSE INC.	INCOMPLETE	DISAPPROVAL	

RECEIVED
SEP 26 1989
CITY MANAGER'S OFFICE

To: Camille Barnett-City Manager
Austin Health Department-Dr. Solbritt Murphy
H.P. Hooper-City Attorney Office
Mr. Brothers -City Attorney Office
Mayor Pro Tem- Councilmembers
Sierra Club

Dept. of Transportation-Federal Aviation Administration

Human Resource Commission
John Darrouzet
Diana Castaneda
Karin Bonicoro

Copies: Ridgetop Neighborhood Assn.
C.A.R.E.
Manor Area Neighbor Organization
Delwood Two Neighborhood Organ.
Mr. John Cutright

9/23/89

COMPLAINT: On 6/10/89 The Aviation Dept.-Deputy Director told me that I should have any leaves suspected of having excessive exposure to pollutants to have examine at my own expense.

I state under the City Charter that the City of Austin has the duty to protect me from health and hazard dangers especially since I live 2,670 feet from the main runway and am expose to over 65% of the heavy carriers (like the one that crashed on 9/21/89 Boeing 737 at La Guardia Airport) that flys into Robert Mueller Municipal Airport.

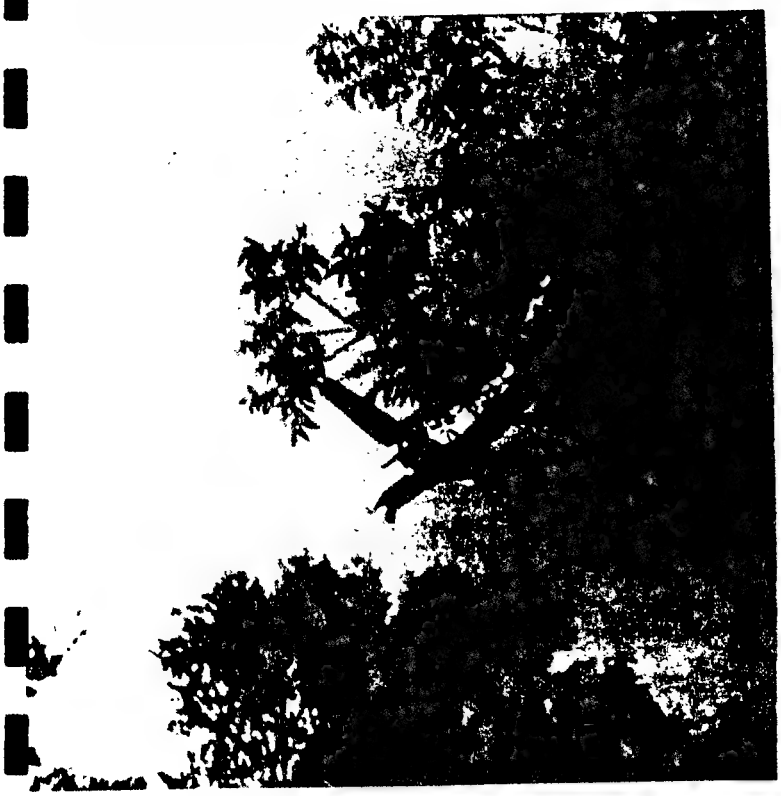
LETTER OF 6/10/89 INDICATES THAT THE AVIATION DEPT HAD LEAVES EXAMINE FOR

I N F E C T I O U S D I S E A S E S

and not excessive exposure to pollulants such as Carbon Monoxidde, Hydrocarbon and Nitrogen levels.

Last Friday and Saturday Sept 15, and 16 my windows of my Ford Courier was covered with a sticky type of subtance so that at

9-12½ E 50 St.



night I could not see clearly out of my windows. From Sept 15, to Sept 21 this situation happened twice.

On examining my front yard the leaves on the pecan tree and other shrubs were also covered with the substance.

I enclosed a leave for the Health Dept, City Manager, FAA, Sierra Club to examine.

I am not sure why I could not find this sticky substance on shrubs or trees on my neighbors lot. The leaves enclosed are now in a dry condition.

Request a written response within 10 working days.

Jerome E. Kroll

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

Attachments letter of May 19 from Texas Agricultural Extension Service
Letter of 6/10/89
Ms. Morrow letter

Jerome E. Kroll
Signature of Affiat

SWORN TO AND SUBSCRIBED BEFORE ME
BY Jerome E. Kroll
this 25 of Sept. 1989 to certify which notary public in and for the state of Texas.

My commission expires 7-14-89

Rosalinda Arcina
Notary Public

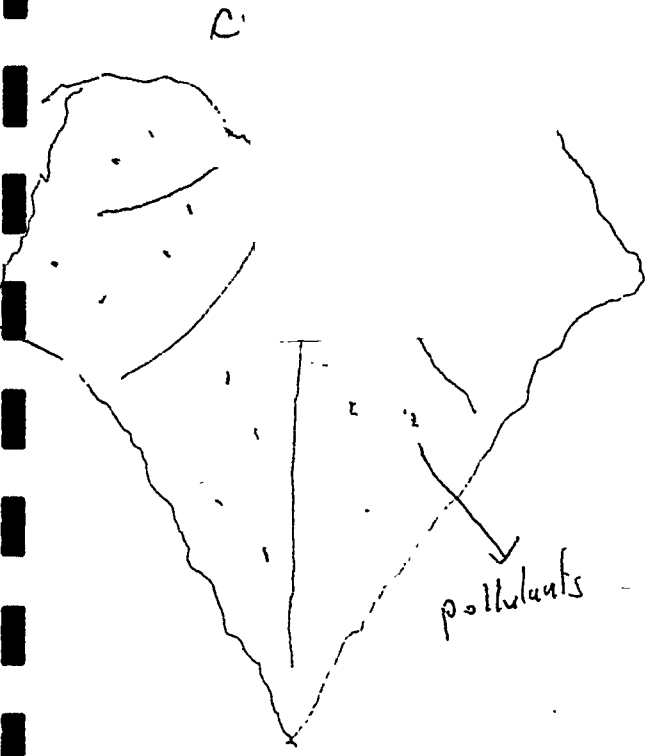
To: Mr. Edward G. O'Rouke
Deputy Director of Aviation
City Manager-Camille Barnett

Copies: Ridgetop Neighborhood
Organ.- Mr. Garry Wilkison
Councilmember Barnstone
Delwood Two Neighborhood
Organ-Mr. Sam Griswold

6/10/89

Ref: Letter of May 19, 1989
Texas Agricultural Extension
Service

6/10/89



On 5/9/89 it was stated by yourself that the residue on the cucumber leaves "...is primarily Downey mildew, dirt granules, and rain splotches, and is not fuel oil residue (pollulants) as you suspected."

Please send me copies of the test that you requested.
Please send me copies of the test and results performed by County Extension Agent-Hort.

Please send me copies of the test and results from the Texas Agr. Ext. Serv
I am of the opinion the test that should have been performed were for

1. Carbon Monoxide
2. Hydrocarbon levels
3. Nitrogen levels

and that the test performed for infectious diseases was not warrant in this type of situation.

Request copies within 10 working days.

Sincerely
Jerome E. Kroll

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

Attachment: 5/19/89 Texas Agr

Texas Agricultural Extension Service

The Texas A&M University System

TEXAS PLANT DISEASE DIAGNOSTIC LABORATORY
L. F. Peterson Building - Room 101
College Station, TX 77843-2132

May 19, 1989

PP

Mr. Ted L. Fisher
County Extension Agent - Hort.
Travis County
1600-B Smith Road
Austin, TX 78721

Dear Ted:

The cucumber leaves that you recently submitted to the Texas Plant Disease Diagnostic Laboratory requesting examination for possible damage from aircraft activity have been examined. We could find no evidence of significant abnormality nor infectious disease. Based on the specimen submitted, we do not feel that aircraft activity has caused damage to the plants.

I hope this information is useful to you in helping resolve questions concerning this problem.

If we can be of further assistance, please let us know.

Sincerely,

Larry W. Barnes
Extension Plant Pathologist

LWB:bmw

RECEIVED
MAY 26 89
AUSTIN AIRPORT

Educational programs conducted by the Texas Agricultural Extension Service serve people of all ages regardless of socioeconomic level, race, color, sex, religion, handicap or national origin

The Texas A&M University System, U.S. Department of Agriculture, and the County Commissioners Courts of Texas Cooperating

Mr. John Darrouzet
1100 Floral Park Road 1922
Plano, Texas 78759

DARR005 X787593101 1188 09/20/89
RETURN TO SENDER

UNABLE TO FORWARD

RETURN TO SENDER

#7

NO. ~~EP. 21 1989~~

NAME: Jerome Ekroll

ADDRESS: 912½ E 50 St Austin, Texas

ORGANIZATION:

REPRESENTING:
(for persons compensated for representation)

AGENDA ITEM: #3 Grant Aviation Admin

FOR: ☐ AGAINST: ☒

To inform you that when you approve this grant that you are aware that you certify all the requirements of the Noise & Safety Acts of F.A.A.

To: Camille Barnett- City Manager
H. P. Hooper -City Attorney Office
Mr. Brothers City Attorney
Mayor Cook
Mayor Pro Tem -Councilmembers
Dept of Tranp Federal Aviation Admin

Human Resource Commission
John Darrouzet
Diana Castaneda
Karin Bonicoro

RECEIVED
SEP 22 1989
CITY MANAGER'S OFFICE

Copies: Ridgetop Neighborhood Assn
C.A.R.E.
Manor Area Neighbor Organizations
Delwood Two Neighborhood Organ
Mr. John Cutright

9/22/89

Complaint: Denied the Opportunity to speak AGAINST funding of Resolution 43 Agenda of Sept 21, 1989

ON 9/21/89 I was denied the opportunity to speak AGAINST FUNDING OF $1,660,294.00 FAA GRANT FOR THE Robert Mueller Municipal Airport.

I content that my civil rights were violated and that this violation is against the requirements of the FAA GRANT.

I arrived at the City Council at 12:50 P.M. and could find no one to give me a speaker card and none were available on the table.

I ask several people and went up to the Agenda box an no speaker cards were available.

Mayor Pro Tem Sally Shipman began the Council meeting with the call to prayer the Reverend Charles Hyde was not present to give the invocation.

After the approval of the minutes Agenda Item 2 , a commission report was given by a Capt Miles.

I listened to the presentation and Rosie Acauna a city clerk's office employee was at the table outside the chambers with a speaker card.

I request a speaker card, and completed it. The card number was #7 , I ask Rosie when would item number 43 come up. Copy of Speaker Card #7 Exhibit A states card not received until after item acted upon.

I state I gave the speaker card in time for presentation to the council and therefore I was denied public access

Page 2 Jerome E. Kroll

to speak on a very important topic that effects b my health and safety. (Noise abatement Act of 1970)

Request - immediate investigation and a written respond within 10 working days.

Exhibit A and B attached

Jerome E. Kroll
9121/2 E. 50 St.
Austin, Texas 78751

Jerome E. Kroll
Signature of Affiat

SWORN TO AND SUBSCRIBED BEFORE ME BY Jerome E. Kroll

THIS 22nd OF SEPT, 1989 TO CERTIFY WHICH NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

My commission expires 4-28-92

Joyce E. Wilkinson
Notary Public

JOYCE E. WILKINSON
NOTARY PUBLIC
State of Texas
My Commission Expires: 04-28-92

CITY OF AUSTIN, TEXAS
RECEIPT FOR PAYMENT OF FUNDS

NO. 502256

DATE RECEIVED: 9-22-89

RECEIVED FROM: Jerome Kroll $ 3.50

FORM OF PAYMENT CASH ☒ CHECK ☐ MONEY ORDER ☐

IN PAYMENT FOR Xerox Copies

*AMOUNT VERIFIED BY: CITY OF AUSTIN, TEXAS

ACCOUNTS TO BE CREDITED:

Fund/ DvCtr	Obj. Code	W/O or Proj	Clp Code	Util Code	Inv Det	Vehicle Number	Amount for this line
XXXXX	XXXX	XXXXXX	XX	XXXX	XXX	XXXXXXXXXX	$ 3.50
45810	4171						

City Clerk
DEPARTMENT

Joyce Wilkinson
AUTHORIZED SIGNATURE

FIN 7026 Rev. 11/82

Rosie Acuna

Exhibit A

#7 Card not received until after item was acted upon

NO. SEP. 21 1989

NAME: Jerome Ekroll

ADDRESS: 912½ E 50 St Austin, Texas

ORGANIZATION:

REPRESENTING:
(for persons compensated for representation)

AGENDA ITEM: #3 Grant Aviation Admin

FOR: ☐ AGAINST: ☒

To inform you that when you approve this grant that you are aware that you certify all the requirements of the Noise & Safety Acts of F.A.A.

Exhibit Exhibit B

Austin City Council

Lee Cooke
Mayor

Sally Shipman
Mayor Pro Tem

City of Austin

Agenda
For
SEPTEMBER 21, 1989

Michael "Max" Nofziger Smoot Carl-Mitchell
George Humphrey Robert Barnstone Charles E. Urdy

Council Chambers, 307 West Second Street, Austin, Texas

CITY COUNCIL MEETING - SEPTEMBER 21, 1989

INVOCATION - REVEREND CHARLES HYDE, First Assembly of God

MEETING CALLED TO ORDER - 1:00 P.M.

1. Approval of Minutes for Special Meetings of September 11, 12 and 13, 1989

1:00 P.M. - BOARD AND COMMISSION REPORTS

2. TASK FORCE ON ADULT-ORIENTED BUSINESSES - Report to Council

1:30 P.M. - General Obligation Bond Items

3. Approval of a resolution of execution of a Paying Agent/Registrar with MTrust Corp., National Association in Austin, Texas, in relation to the City of Austin, Texas, Public Improvement Bonds, Series 1989 for $24,995,000.00. ($500.00 as a one-time lump sum payment by M-Trust to be paid to the City)

4. Approval of adoption of an ordinance authorizing the issuance and sale of City of Austin, Texas, Public Improvement Bonds, Series 1989 in the amount of $24,995,000.00. (General Obligation Bonds authorized by the voters in 1982, 1983, and 1984. Debt service requirements payable in future fiscal years from the full faith and credit of the City.)

ITEMS CONTINUED FROM PREVIOUS MEETING

5. A request for a variance from the terms of the Right-of-Way Dedication Ordinance for 1314 East Oltorf. (Request submitted by Mr. Mike Carson on behalf of the Faith Presbyterian Church) SP-89-0124C

ORDINANCES AND RESOLUTIONS - All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Councilmember or a Citizen.

ORDINANCES

7. Approval of disannexing certain property annexed for limited purposes, pursuant to the provisions of SB 962 and HB 3187.

Exhibit BA

RESOLUTIONS (continued)

41. Authorization and approval of a Grant Application/Acceptance from the State Department of Highways and Public Transportation to fund a National Maximum Speed Limit Enforcement Program for the Police Department. (Grant Request: $123,197.71 - The City of Austin match is $41,065.91 which consists of overtime expenditures. Funds for this program are included in the FY 1989-90 budget)

42. Authorization and approval of a Grant Application/Acceptance from the State Department of Highways and Public Transportation to fund a Drunk Driver Apprehension Selective Traffic Enforcement Program for the Police Department (DWI STEP). (Grant Request: $107,415.57 - The City of Austin match is $107,415.57 which consists of overtime expenditures. Funding for this program is included in the FY 1989-90 budget)

43. Authorization to accept a Grant Offer from Federal Aviation Administration for entitlement funds under the Airports Improvement Program to fund taxiway improvement projects at Robert Mueller Municipal Airport. (Grant Offer: $1,660,294.00 represents 75% share of the costs included in FY 1989-90 Aviation Capital Improvement Program.)

44. Approval of Assignment of Lease to SERVION OF TEXAS, INC. from Federal Savings and Loan Insurance Corporation (FSLIC) for the Austin Aero fixed base operation at Robert Mueller Municipal Airport.

45. Approval of an Interlocal Cooperation Agreement with Travis County and the Joint Airport Zoning Board for funding of Joint Airport Zoning Board Activities. (Proposed budget for FY 1989-90 is $86,639.00 - Travis County would reimburse one-half and one-half funded by Aviation Department)

46. Authorization and approval of a contract award to INDUSTRIAL DIETZ TRACTOR COMPANY, Seguin, Texas, for Hydraulic Extension Mower and a Tractor in the total amount of $28,571.94 - General Services Department. (Funds included in the FY 1988-89 budget of the Vehicle Acquisition Fund) 0% M/WBE Subcontractor participation. 89-0248-LI

47. Authorization and approval to modify, amend, or terminate certain restrictive covenants by the City Manager.

48. Set a public hearing to consider adoption of an ordinance establishing an Economic Development Electric Rate for manufacturing firms expanding their operations or locating in the Austin Electric Utility service area. (Suggested date and time: October 5, 1989 at 3:00 p.m.)

49. Amend the 1989-90 Capital Budget by reallocating $410,904.48 in the Senior Activity Center - East C.I.P. Project (#867889) from FY 1990-91 to FY 1989-90.

To: Camille Barnett- City Manager
W. P. Hooper -City Attorney Office
Mr. Brothers City Attorney
Mayor Cook
Mayor Pro Tem -Councilmembers
Dept of Trans Federal Aviation Admin

Comm Resource Commission
John Derrough
Nancy Jackson
Kevin Bonivere

Copies: Kidgeton Neighborhood Assn
S.A.N.E.
Mayor Pro Tem Neighbor Organizations
Belmead Civic Neighborhood Organ
Mr. John Cutright

9/21/89

Complaint: **Denied** the Opportunity to speak AGAINST funding of Resolution 43 Agenda of Sept 21, 1989

ON 9/21/89 I was denied the opportunity to speak AGAINST FUNDING OF $1,660,294.00 FAA GRANT FOR THE Newport Newsville municipal Airport.

I contend that my civil rights were violated and that this violation is against the requirements of the FAA GRANT.

I arrived at the City Council at 12:50 P.m. and could find no one to give me a speaker card and none were available on the table.

I asked several people and went up to the Agenda box to get speaker cards were available.

Mayor Pro Tem Billy Shipman began the Council meeting with the call to prayer the Reverend Charles Hyde was not present to give the invocation.

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I listened to the presentation and Pasic Aeuse a city code office employee was at the table outside the chambers with a speaker card.

I request a speaker card, and completed it. The card number was #7 . I ask Pasic when could item number 43 come up. copy of Speaker Card #7 Exhibit 1 this card not received until after it was voted upon.

I state I gave the speaker card in time for presentation to be on call and therefore I was denied public input.

Page 2 Jerome E. Kroll

to report on a very important topic that affects b my health and safety. (Toxic Inherent Act of 1970)

Request immediate investigation and a written respond within 10 working days.

Exhibit A and B attached

Jerome E. Kroll
9121 E. 50 St.
Austin, Texas 78751

Jerome E. Kroll
Signature of Affint

SWORN TO AND SUBSCRIBED BEFORE ME BY Jerome E. Kroll

THIS 22nd OF SEPT, 1989 TO CERTIFY WHICH NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS.

my comission expires 4-28-92

Joyce E. Wilkinson
Notary Public

JOYCE E. WILKINSON
NOTARY PUBLIC
State of Texas
My Commission Expires: 04-28-92

Rosie Acuna

Exhibit A

#7 Card not received until after the ~~end~~ close of item

NO. ~~EP.~~ 21 1989

NAME: Jerome Ekroll

ADDRESS: 912½ E 50 St Austin, Texas

ORGANIZATION:

REPRESENTING:
(for persons compensated for representation)

AGENDA ITEM: #3 Grant Aviation Admin

FOR: ☐ AGAINST: ☒

To inform you that when you approve this grant that you are aware that you certify all the requirements of the Noise & Safety Acts of F.A.A.

Exhibit Exhibit B

Austin City Council

Lee Cooke
Mayor

Sally Shipman
Mayor Pro Tem

City of Austin

Agenda
For
SEPTEMBER 21, 1989

Michael "Max" Nofziger **Smoot Carl-Mitchell**
George Humphrey **Robert Barnstone** **Charles E. Urdy**

Council Chambers, 307 West Second Street, Austin, Texas

CITY COUNCIL MEETING - SEPTEMBER 21, 1989

INVOCATION - REVEREND CHARLES HYDE, First Assembly of God

MEETING CALLED TO ORDER - 1:00 P.M.

1. Approval of Minutes for Special Meetings of September 11, 12 and 13, 1989

1:00 P.M. - BOARD AND COMMISSION REPORTS

2. TASK FORCE ON ADULT-ORIENTED BUSINESSES - Report to Council

1:30 P.M. - General Obligation Bond Items

3. Approval of a resolution of execution of a Paying Agent/Registrar with MTrust Corp., National Association in Austin, Texas, in relation to the City of Austin, Texas, Public Improvement Bonds, Series 1989 for $24,995,000.00. ($500.00 as a one-time lump sum payment by M-Trust to be paid to the City)

4. Approval of adoption of an ordinance authorizing the issuance and sale of City of Austin, Texas, Public Improvement Bonds, Series 1989 in the amount of $24,995,000.00. (General Obligation Bonds authorized by the voters in 1982, 1983, and 1984. Debt service requirements payable in future fiscal years from the full faith and credit of the City.)

ITEMS CONTINUED FROM PREVIOUS MEETING

5. A request for a variance from the terms of the Right-of-Way Dedication Ordinance for 1314 East Oltorf. (Request submitted by Mr. Mike Carson on behalf of the Faith Presbyterian Church) SP-89-0124C

ORDINANCES AND RESOLUTIONS - All of the following items may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Councilmember or a Citizen.

ORDINANCES

7. Approval of disannexing certain property annexed for limited purposes, pursuant to the provisions of SB 962 and HB 3187.

Exhibit BA

RESOLUTIONS (continued)

41. Authorization and approval of a Grant Application/Acceptance from the State Department of Highways and Public Transportation to fund a National Maximum Speed Limit Enforcement Program for the Police Department. (Grant Request: $123,197.71 - The City of Austin match is $41,065.91 which consists of overtime expenditures. Funds for this program are included in the FY 1989-90 budget)

42. Authorization and approval of a Grant Application/Acceptance from the State Department of Highways and Public Transportation to fund a Drunk Driver Apprehension Selective Traffic Enforcement Program for the Police Department (DWI STEP). (Grant Request: $107,415.57 - The City of Austin match is $107,415.57 which consists of overtime expenditures. Funding for this program is included in the FY 1989-90 budget)

43. Authorization to accept a Grant Offer from Federal Aviation Administration for entitlement funds under the Airports Improvement Program to fund taxiway improvement projects at Robert Mueller Municipal Airport. (Grant Offer: $1,660,294.00 represents 75% share of the costs included in FY 1989-90 Aviation Capital Improvement Program.)

44. Approval of Assignment of Lease to SERVION OF TEXAS, INC. from Federal Savings and Loan Insurance Corporation (FSLIC) for the Austin Aero fixed base operation at Robert Mueller Municipal Airport.

45. Approval of an Interlocal Cooperation Agreement with Travis County and the Joint Airport Zoning Board for funding of Joint Airport Zoning Board Activities. (Proposed budget for FY 1989-90 is $86,639.00 - Travis County would reimburse one-half and one-half funded by Aviation Department)

46. Authorization and approval of a contract award to INDUSTRIAL DIETZ TRACTOR COMPANY, Seguin, Texas, for Hydraulic Extension Mower and a Tractor in the total amount of $28,571.94 - General Services Department. (Funds included in the FY 1988-89 budget of the Vehicle Acquisition Fund) 0% M/WBE Subcontractor participation. 89-0248-LI

47. Authorization and approval to modify, amend, or terminate certain restrictive covenants by the City Manager.

48. Set a public hearing to consider adoption of an ordinance establishing an Economic Development Electric Rate for manufacturing firms expanding their operations or locating in the Austin Electric Utility service area. (Suggested date and time: October 5, 1989 at 3:00 p.m.)

49. Amend the 1989-90 Capital Budget by reallocating $410,904.48 in the Senior Activity Center - East C.I.P. Project (#867889) from FY 1990-91 to FY 1989-90.

Exhibit BR

RESOLUTIONS (continued)

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Harry S. Truman
USA 20c

Dr. Ed. Sp. Ac.
Texas Tech University
Lubbock, TX 79409-1071

Dr. Ed. Sp. Ac.
Texas Tech University
Lubbock, TX 79409-1071

Susan Ridgway Garry
Rt. 1, Box 213
Coupland TX 78615

September 15, 1989

Mr. Jerome E. Croll
912 1/2 E. 50 St.
Austin TX 78751

Dear Mr. Croll

Thank you for all your information on how the City of Austin has neglected its duties regarding soundproofing and other noise abatement measures around Robert Mueller. We realize that for years the City has not done what it should have around Mueller, at least in part to encourage dropping the airport. In our model, we're ruining a valuable agricultural area of 3 to 4 times the size of the actual airport site. I have talked to somebody at Love Field, and she said that one reason Love Field has been able to co-exist with its neighbors as an in-town airport is that they have a very strict noise-abatement program.

Based on the noise analysis in the Draft Environmental Impact Statement, the City is prepared to be as careless out here as it has been with Mueller. FYI, I've enclosed our "Noise" comments on the Draft EIS. If you'd like to see our expert affidavit on noise impacts, which is criticism by a physicist at Livermore Laboratory of the existing noise analysis, please let me know.

You might be interested in what the City has proposed to do with the Mueller site if the airport is closed, a subject which is supposed to be studied in the Final Environmental Impact Statement. I've enclosed our comments, "Future Use of Robert Mueller Municipal Airport," on the high-rise, high-density development which has been proposed for the site in order to realize the most money out of it.

Just to give you an idea of what the City proposes to do to the people out here, I've enclosed our comments on "Acquisitions and Displacements" and "Social Impacts." Some of the residents in our area have been on their family farms for several generations. And some of the residents are

relative newcomers, some from Austin; they include older couples who saved for years to buy a piece of land and retire out here, and young families who worked hard to get, as one mother put it, "the American dream, our own home on a few acres in the country." This family actually lived near Mueller, and by their own efforts succeeded in relocating to our rural area. Is it fair to reward their efforts, and those of generations of farm families who've managed to hang on to their land through thick and thin, by turning them out, bulldozing their homes, and paving their valuable prime farmland?

The comments I've enclosed are only the tip of the iceberg. In all, we sent 33 pages of comments, plus supporting documents. Please let me know if you'd be interested in any other topics or supporting documents. Thank you again for your noise impact information.

Sincerely,

Susan Ridgway Garry

Susan Ridgway Garry, Chairman
Manor Area Neighbors ORganization

Enclosures: Draft EIS comments. Topics of:
Noise
Future Use of Robert Mueller Municipal Airport
Acquisitions and Displacements
Social Impacts

NOISE

Regarding the negative impacts of the noise factor, there needs to be an independent review of assumptions, sensitivities, and engineering work that went into the Draft EIS noise analysis. It seems that Turner, Collie & Braden were given aircraft projections and did not review them. In addition, the analysis considers just the site and not the entire area, and discusses the average sound level, but not the instantaneous noise level. The findings in the Draft EIS need independent confirmation.

Historic churches, schools, neighborhood centers, and rural and Manor residences are immediately outside of the acceptable average noise contours. If the noise analysis is even slightly inaccurate, these noise-sensitive receptors will be inside unacceptable noise contours. The Draft EIS says the Integrated Noise Model Version 3.8 was used to determine sound levels generated in the year 2006, with commercial operation of two 9,000-foot runways. However, the Draft EIS does not discuss the 12,000-foot runway proposed for international flights. Because this longer runway is not taken into account, all the noise and flight path projections are incomplete. The FONSI says that land exists in the proposed plan for the 12,000-foot runway. However, this still does not take into account the increased noise contours and additional flight paths. The projections for the 12,000-foot runway need to be analyzed now; otherwise, the proposed Manor airport will suffer the constraints of any built-up area: insufficient airport-compatible zones for longer runways. Insufficient expansion space at the Manor airport negates the main justification for building it in the first place.

According to Turner, Collie & Braden, the airport will handle 140 operations per hour. This figure contradicts the Draft EIS, which on Table IV-3 on page IV-9 (2006 Average Daily Operations Used for Noise Modeling) states that there will be a total of 540 operations daily. Even supposing that the figure of 140 operations per hour pertained only to the 15 daylight hours between 7 a.m. and 10 p.m., the 140 operations per hour multiplied by the 15 daylight hours gives a total of 2,100 flights per day, rather than the 540 reported in the Draft EIS. The information of 540 operations per day was used in the INM Version 3.8, which was used to determine environmental sound levels and the noise contours. If incorrect information has been used in the noise analysis, all the Draft EIS conclusions that have been based upon it also are incorrect.

FONSI responses to the above **Noise** comments concluded that the existing noise analysis was valid and that our concerns were not. However, based on information we have seen more recently, such as the expert affidavit by Dr. James Foch (Exhibit 8), we believe that the above concerns deserve further study.

Also, the Draft EIS fails to consider noise impacts from air cargo and military operations. The Greiner study, incorporated into the FONSI, projects 15,600 cargo operations in 2006. These operations will expand the 65 Ldn contour at least 1000 feet on both ends of the east runway and probably even further since the projected cargo operations are unrealistically low, according to Foch. This will require that greater numbers of residences and businesses be relocated to prevent unacceptable noise levels.

In addition, military operations may cause significant noise impacts that were not considered in the Draft EIS, according to Foch. He also notes that other sources of noise impacts were omitted from the Draft EIS, including among others, airplane engine testing, increased ground vehicle traffic, and expansion of operations at Bergstrom Air Force Base.

Of course, if the noise analysis upon which the proposed airport is based is incorrect, the contours of the airport property, noise-impact zone, and compatibility zoning area will be incorrect. The City of Austin will have to acquire more land and pay for more improvements in a larger noise-impact zone than they have planned for, thus impacting other topics in this Draft EIS.

Indirect, cumulative noise impacts are significant, and should be considered in the Final EIS. These impacts will occur due to increased traffic caused by the airport, construction activities off-site, and increased commercial activity surrounding the airport.

ACQUISITIONS AND DISPLACEMENTS

If the Draft EIS noise analysis is incomplete, as discussed under the **Noise** topic, the topic of acquisitions and displacements also needs more study. If the noise contours would take in more area than anticipated, the lists of property owners would need to be expanded and impacts on residents would be greater than admitted in the Draft EIS.

Regarding the treatment of the persons to be displaced, it seems that the governmental entities in our area are not scrupulously following the standard of fair treatment. Looking at recently issued tax appraisals, the objective observer might wonder why the values of airport land dropped much more drastically than other areas in Travis County. Appraisals did decrease on a county-wide basis. However, some airport area parcels reportedly dropped 40-50%, which is a far greater decrease than other areas and a far greater decrease than the average decrease for the county. This discrepancy should be explained in the Final EIS to show that property owners are being treated fairly.

Regarding the acquisition information being given out by the City of Austin, the Final EIS should determine that this information is indeed accurate. At the April, 1989, meeting of the Airport Landowners League in Manor, a property owner in the noise-impact zone was told by City representatives that if the City made him an offer for his improvements and he refused their offer, that he had no recourse. As we understand it from talking to a condemnation attorney who attended that meeting, this is not true. That property owner would have recourse regarding the price for his improvements, just as a property owner whose land is condemned would have. Since only landowners were allowed to speak at that meeting, the condemnation attorney was not able to give the audience the correct information. Because such instances have occurred, the Final EIS should assure property owners that governmental entities are not depriving them of the fair value of their land and improvements.

Regarding the residents outside the airport site, but inside the noise-impact zone, the Draft EIS claims they retain the option of farming, but this is not correct. In the case of a family farm, where the family lives on the land, farming it and raising livestock, it is a 24-hour-a-day, 7-day-a-week operation. Such a farm family cannot be displaced to a remote location and continue to farm their land in the noise-impact zone. The Final EIS should

take a more realistic look at this problem than the Draft EIS has done. Again, refusing to recognize this problem seems to be violating the standard of fair treatment.

The Draft EIS says there is "sufficient relocation housing . . . available for displaced persons and families." This is an erroneous conclusion. The suitable relocation housing referred to consists of houses, apartments, condominiums, and multi-family housing units available in Elgin, Pflugerville, Round Rock, and Northeast Austin. Such housing units are not at all comparable to a family farm, in prime farmland, that has been worked by a family for several generations. The final EIS should include a study of comparable prime farmland, its location, price, availability, etc., in order to provide truly comparable "relocation housing," that would meet the standard of fair treatment for displaced persons.

The Draft EIS notes that residents will be relocated to "decent, safe, and sanitary housing" and will be given relocation brochures (which are out-of-date) "free of charge." This gives the impression that residents are World War II refugees, not Texas and U.S. citizens who are living in a valuable, historic agricultural area. The Draft EIS makes it sound like being displaced and relocated will be a step up for area residents. The Final EIS needs to study the proposed destruction of an area that is valuable in its own right, in order to assess what relocation measures will constitute fair treatment.

Finally, as many residents continue to point out, residents of the impacted area did not get to vote on the proposed project and have had no say in the proposed destruction of their area. The Draft EIS notes that various public meetings and hearings were held for area residents, but such informational meetings are in no way equivalent to being able to vote on a course of action. The final EIS should objectively study whether the public good would be better served by not proceeding with a possibly unnecessary project, thus saving an area whose citizens are being unfairly deprived of property without voting representation.

SOCIAL IMPACTS

The Draft EIS mentions in a general way the economic benefits that will be realized by the Manor area. However, based on past airport experiences, such as DFW, there may be quite a bit less favorable economic development than anticipated. The Draft EIS does not fully discuss the negative socio-economic impacts to the area. There are sociological and economic studies that show that this type of rapid population increase and commercial development can cost the residents more than they are worth, and the Final EIS should take this research into account.

For example, if there is a rapid in-migration of transient construction workers, there will be a great immediate demand for increased infrastructure and such facilities as schools to serve the new population. Then the permanent residents will be left with greatly increased taxes after the temporary population has moved on.

There is a good possibility that a large in-migration will be required to fill the proposed 10,000 construction jobs. In 1986, when the Greiner figures cited in the Draft EIS were compiled, there were 23,600 construction jobs in the Austin MSA. It may have been realistic at that time to project that 10,000 airport jobs could be filled from this pool. However, in 1989, there are approximately only 13,000 construction jobs in the Austin MSA. Therefore, if the airport construction will require 10,000 workers, it is reasonable to expect that the area will experience in-migration; and the Final EIS should study such impacts on the area.

Other aspects of the construction job figures should be clarified, also. The Draft EIS projects the airport will create 10,000 construction jobs. The Denver airport project, which is several times larger than Austin's, also projects approximately 10,000 construction jobs created. The Final EIS should clear up this discrepancy. In addition, certain Draft EIS forecasts are clearly inaccurate. For example, Table IV-10 forecasts 20,054 construction jobs for the Austin MSA for 1990, that is, next year. Because the 1989 figure is about 13,000, it seems unlikely that 1990 will reach over 20,000. This, and other forecasts, should be re-studied in the Final EIS.

The Texas Department of Agriculture and other agriculture experts have stated that the proposed airport will impact an agricultural area three to four times the size of the project. This is an important agricultural area with significant prime farmland, which makes a contribution to the economy

of the area, both in crops and livestock. The Final EIS should study the impact to the economy of the area caused by the destruction of this important farming area.

The Draft EIS gives no information about the decrease in the local school tax base, mainly for the Manor Independent School District. Manor school officials have said that Austin officials have told them they definitely will lose quite a lot of school taxes, but they cannot tell them how much. The Final EIS should study this situation.

The Draft EIS, in its discussion of economic impacts, does not note that the sales tax revenue from the airport will not help the City of Manor or the surrounding area, but will flow back to Austin. The Draft EIS includes no concrete information to demonstrate that area residents and school children will receive any positive impacts from the airport. Even though area residents were not allowed to vote on this issue, there exists some indication that residents doubt the positive impacts of the project: neither the Manor city government, the Manor Chamber of Commerce, nor the Manor school board voted to support the relocation of the airport to Manor.

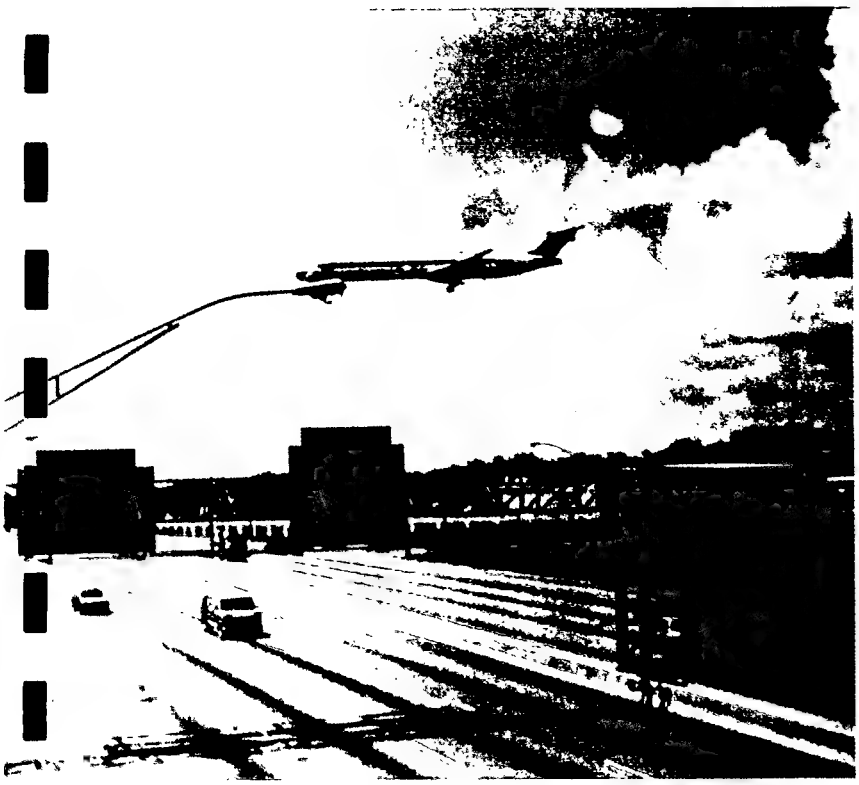
The Final EIS should study the topics of positive and negative socio-economic impacts more thoroughly than the Draft EIS has done.

FUTURE USE OF ROBERT MUELLER MUNICIPAL AIRPORT

Significant impacts from the closure and sale of the existing Robert Mueller Airport will include, among others, impacts on air quality, water quality, traffic congestion, and noise. Please see Exhibit 6, affidavit from Mr. Lyndon Henry. Also please see Exhibit 7, "Alternative Land Use Options for Robert Mueller Airport," prepared for City of Austin, Sept. 1984. This report studies possible alternative development plans for the Robert Mueller site. The plans include high-rise, high-density development. One option includes a heloport. Based on ratios of automobile traffic to and from, and parking spaces needed for, these sizes of high-rise, high-density buildings, the traffic noise, congestion, and emissions in this area of Austin will be increased over current airport traffic.

According to the legal agreement between the FAA and the Sierra Club Legal Defense Fund, "The final EIS will address the potential environmental impacts associated with the future use of the Robert Mueller Municipal Airport for nonairport purposes to the extent that potential uses and their impacts can be identified." The closest the City has come to identifying the "potential uses and their impacts" on the Mueller site is the above-cited study, "Alternative Land Use Options for Robert Mueller Airport."

Therefore, in order to adhere to the legal agreement that the Final EIS "will address the potential environmental impacts associated with the future use" of the site, the Final EIS should study, at the very least, the potential uses and impacts that would result from the options being considered by the City as set forth in the "Alternative Land Use Options" study (herein enclosed as Exhibit 7).



To: Camille Barnett-Austin
City Manager
Mayor Pro Tem-Sally Shipman
Councilmember Barnstone
Councilmember Urdy
Copies: Manor Area Neighbors
Organization
Homer Biggerstaff Jr.

9-19-89

Subject: Agenda 45 -Sept. 21,1989
Joint Airport Zoning Board and
Agenda 43

I have gone to the Joint Airport Zoning Board Meetings of 8/14/89 and 9/11/89.

During both of these meetings I heard no talk of the Proposed 89-90 budget of $86K (the detail).

Request a copy of the budget for the Joint Airport Zoning Board be made available to me for review. Please tell me where I can obtain a copy of the budget.

I protest "...high-rise, high density development."
Page 7 Future use of Robert Municipal Airport.

I request the land be used for a zoo, park, and music center.

Agenda Item 43

I object to the Acceptance of Federal Aviation Administration grant of $1,660,294 without providing relief to noise and other safety problems around Robert Mueller Airport. Request 10% of the funds be used to improve the environment of the neighborhood.

Jerome E. Kroll

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

RECEIVED
SEP 20 1989
CITY MANAGER'S OFFICE

FUTURE USE OF ROBERT MUELLER MUNICIPAL AIRPORT

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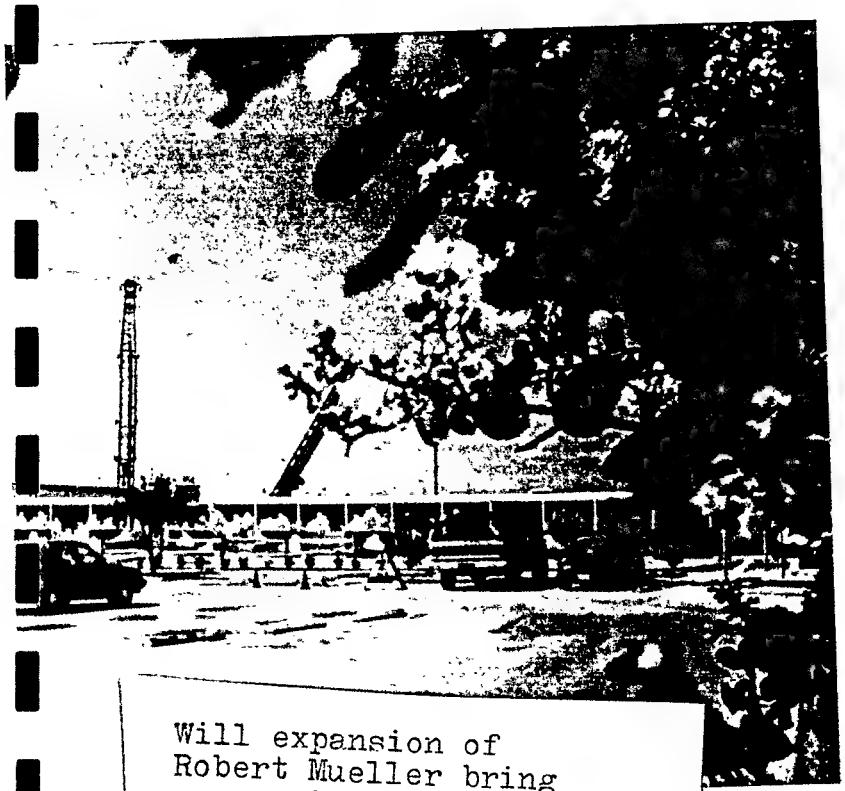
In 1990 65% of 73,000 carriers will fly by 49 and 50 Streets at very low levels. By 1995 this will read 96,000 carriers. Table 3-20 Tech Report II

RECEIVED
SEP 15 1989
AUSTIN AIRPORT



Will expansion of Robert Mueller bring more noise? Proper planning would have allocated some monies for environmental improvements.

To: Mayor Cooke
Mayor Pro Tem and
Councilmembers
Camille Barnett-Austin City Manager
Edward G. O'Rourke
Deputy Director of Aviation

Copies: Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
C.A.R.E.- Alice Embree

9-10-89

The main runway 12R/30L at Mueller which accommodates 90% of the total operation is 7,270 ft. long.
Page 63- 1977 Master Plan

The new master plan (pg 3-6) (Table 3-3) shows that it takes the B737-300 7,100 feet to takeoff at a takeoff weight of 124,500 lbs..

Does this mean that the safety margin is only 170 feet for the 19 B737-300 which takes off from Mueller each day?

What does the Safety Report of 11/86 prepared by the Lyndon B. Johnson School of Public Affairs state about Robert Mueller 's runway length-

"...Robert Mueller, along with Buffalo, appears to be unusually constrained and lacks the flexibility to make important safety related design improvements that most of the other airports either currently enjoy or could make. Of the airports in this sample, Mueller has the shortest air carrier runway and is one of three facilities without a reliable backup for aircarriers." (Page 72)

Sincerely
Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

SEP 1989
MANAGER'S OFFICE

EFFECTS ON HEARING
Auditory fatigue at 75-80 dB (A)
DEAF
Risk of deafness at 85 dB(A) eight hours Consecutively
At 75-80 dB(A) temporary Loss of higher threshold of perception
TD 892 F53 Book fighting Noise ORD
JK
SEP 15 1989
AUSTIN AIRPORT

To: Mayor Cooke
Mayor Pro Tem and Councilmembers
Camille Barnett-Austin City Manager
Edward G. O'Rourke-Deputy Director of Aviation

Copies: Ridgetop Neighborhood Assn.- Mr. Garry Wilkison
C.A.R.E.-Alice Embree
Sierra Club

9/11/89

"It is important to appreciate that noise-induced hearing loss damages the hair cells in the cochlea, while the eardrum is rarely, if ever , damaged as a result of exposure to industrial -type (aircraft) noise. ... it is certain that the majority of noise-induced hearing loss results from their gradual deterioration..."

"The earliest manifestation of hearing damage resulting from exposure to intense noise is a change in the threshold sensitivity of hearing of high-frequency sound. However, it is unlikely that in the early stages of noise-induced hearing loss that the person will no tice any real changes in his hearing ability."

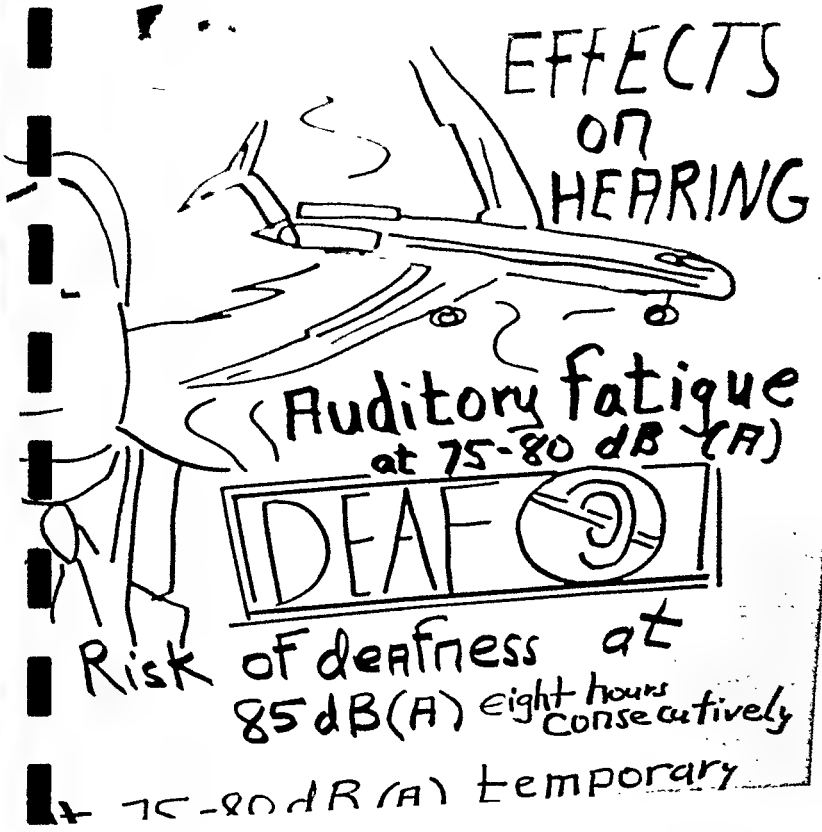
Pages 259 to 263 Handbook of Noise Assessment TD892 H355

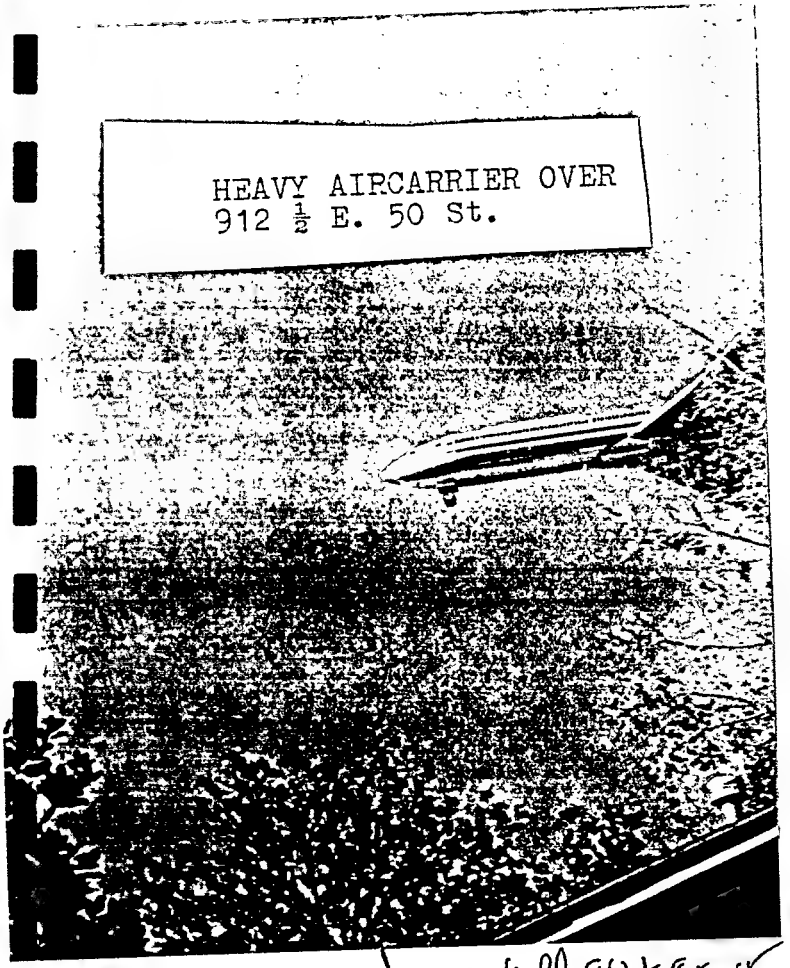
From Handbook

AT 90 dB(A) the PERMISSIBLE DAILY EXPOSURE IS 8 HOURS.

At 102 dB(A) the PERMISSIBLE DAILY EXPOSURE IS 30 MINUTES.

At East 50 St and Airport (900 block) 300 feet from Ridgetop School readings of 100 dB(a) have been taken outside.





Jane E. Kroll 912½ E 50 St
Austin, Texas 78751

approach path of heavy aircraft which might about 154,000 lbs traveling at 130 (kt) touchdown speed. Table 3-7 Technical Report III.

City officials should investigate and calculate how much noise that residents on E. 50 St and 49 St (east) can be expose to on a daily basis.

Table 3-11 of Technical Report II shows that 111 (one day) aircarriers arrive daily at the airport

111 aircarriers X 20 seconds of exposure (est) =2,220 sec or

37 minutes exposure (est).

Therefore it is possible that residents are already over expose to noise.

REQUEST THE CITY OF AUSTIN TO RESPOND TO THIS HEALTH AND SAFETY ISSUE WITHIN 10 WORKING DAYS.

The present expasion (over $5 M) at the airport will allow an increase capacity.

Will increase capacity at Robert Mueller violate the City Charter in that the City Officials are responsible for the health, safety and comfort of citizens along the

Draft

Request for Technical Report #3

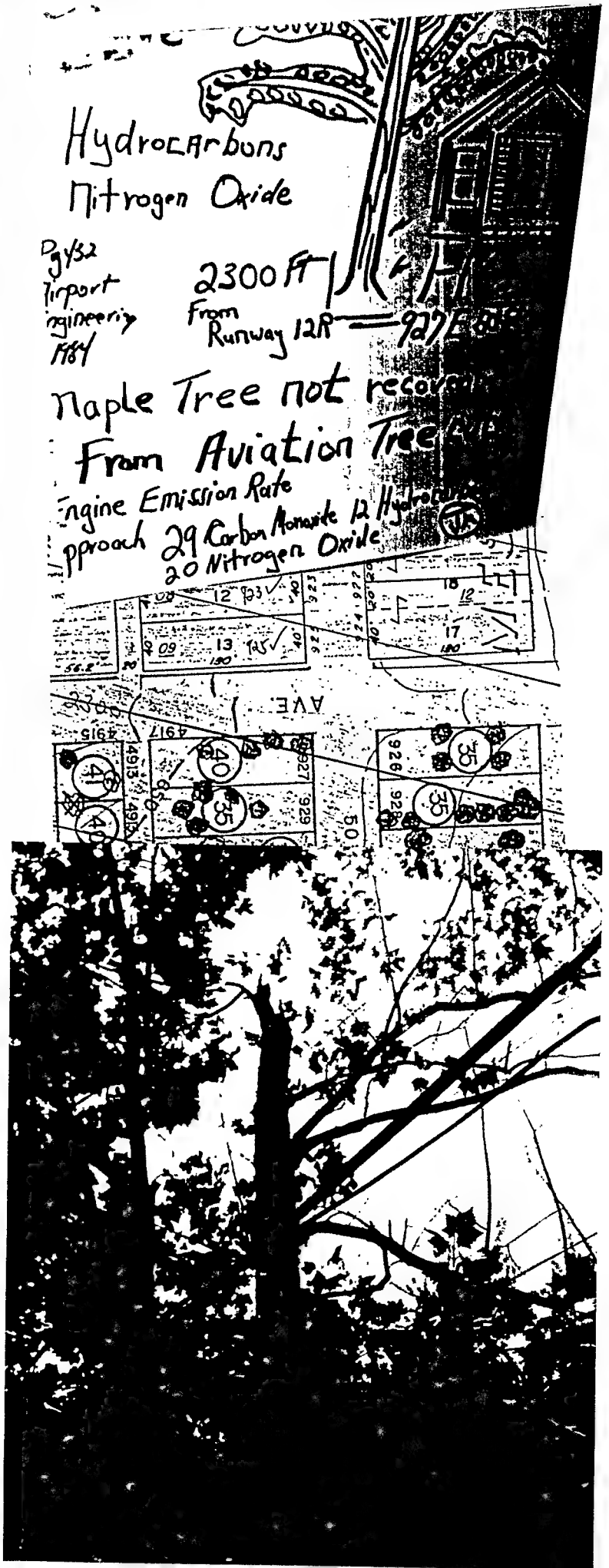
DATE 8 Sept. 89

E

closed is a copy of Tech. Rpt # 3. If you
to purchase this copy, please provide a check
k in the amount of $36.40.

I am not available today. If you wish to discuss
ther items on your list again, please advise
rticularly as to a convenient
date.

SIGNED



To: Mayor Cooke
Mayor Pro Tem and Councilmembers
Camille Barnett-Austin City Manager
Edward G. O'Rourke-Deputy Director of Aviation

Copies: Ridgetop Neighborhood Assn. - Mr. Garry Wilkison
C.A.R.E.- Alice Embree
Sierra Club

9-15-89

ENVIRONMENTAL IMPACT AROUND ROBERT MUELLER AIRPORT.

"The pollutants contained in aircraft engine exhaust gases consist principally of carbon dioxide, hydrocarbons, nitrogen oxides, soot and other particular matter. The exhaust gases also contain highly irritating organic acids and carbon and sulfur compounds." Page 431 ENVIRONMENTAL IMPACTS OF AIRPORTS

Do pollutants from aircraft damage paints, roofing materials, cars in neighborhoods near the airport?

City officials should investigate this matter.

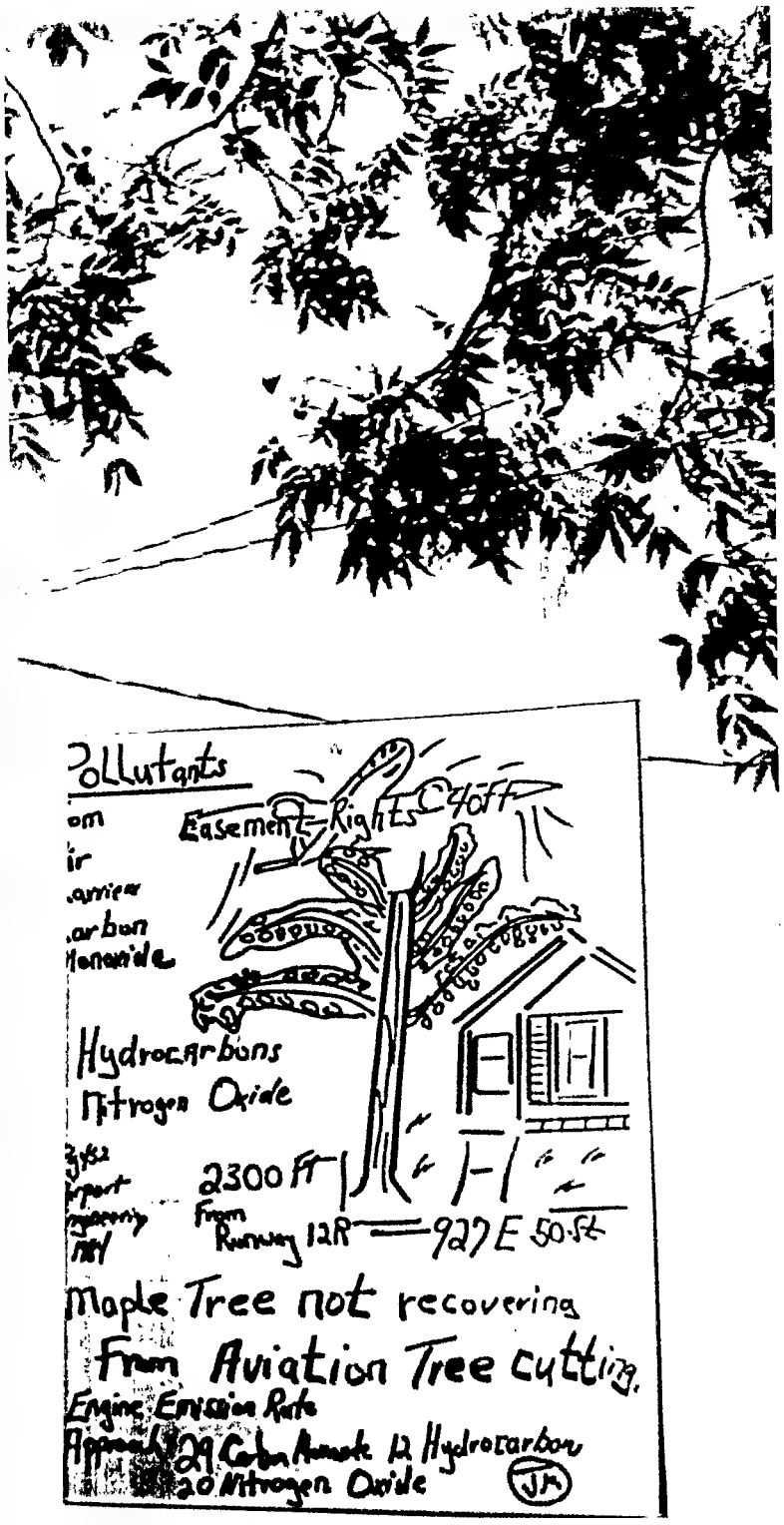
The City of Austin has paid as little as $10 for RIGHT OF ENTRY to cut the crown of trees . Some trees have not recovered from this type of cutting.

Are the over 400 trees effected on 49 and 50 St. (east) only worth $10 each? Why are these trees not treated equally like the TREATY OAK.

SUPPORT EQUALITY FOR ALL TREES.

HOW ARE THE BIRDS TREATED?

From a Airport Service Manual it states 7.10.1 "Birds can be very troublesome in and around buildings at the airport. Bird droppings can be corrosive."



location and provide transportation to the new location.

Request a written response within 10 working days.

Jerome E. Kroll
2121/2 E. 50 St.
Austin, Texas 78751

How does a Airport Service Manual state you should get rid of birds around a hangar.

"7.10.9 Carbon monoxide can be very effective against all birds. A hangar can be cleared of birds (including seed-eating birds) by closing all the doors and windows of the building and letting the engines of several vehicles idle for a few hours, until the interior of the building is filled with carbon monoxide from the exhaust." page 32 Airport Services Manual.

Let us hope that the Aviation Department never follows that manual.

Is the Aviation Department concerned with the neighborhood environment?

Presently $11 million will be spent on expansion at Robert Mueller Airport. How much will be spent on improving the neighborhood environment?

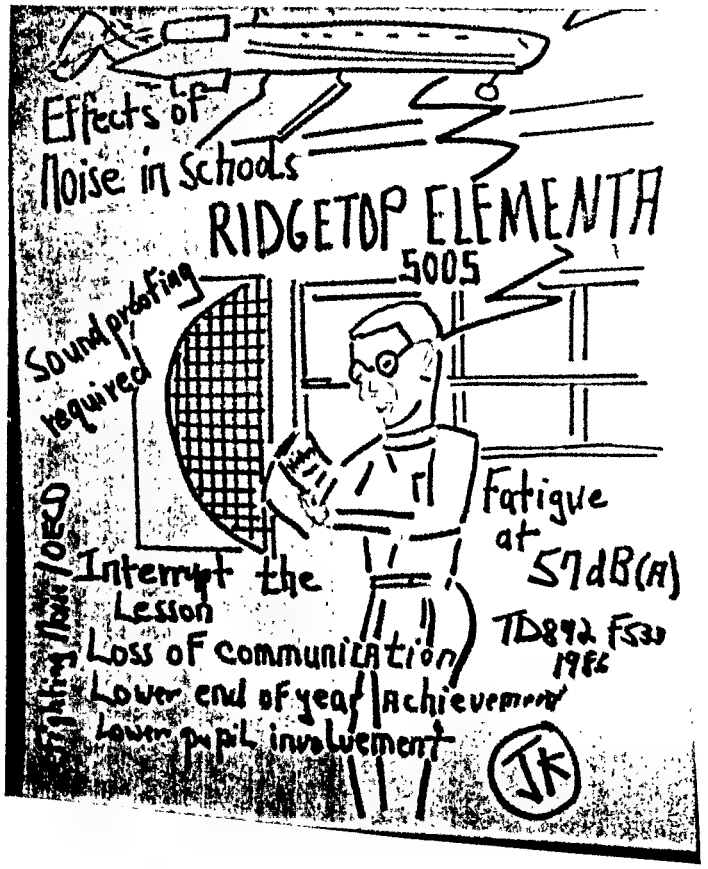
One person stated it very clearly in "THE GREINER ENVIRONMENTAL ASSESSMENT REPORT CIP 817500 -1986

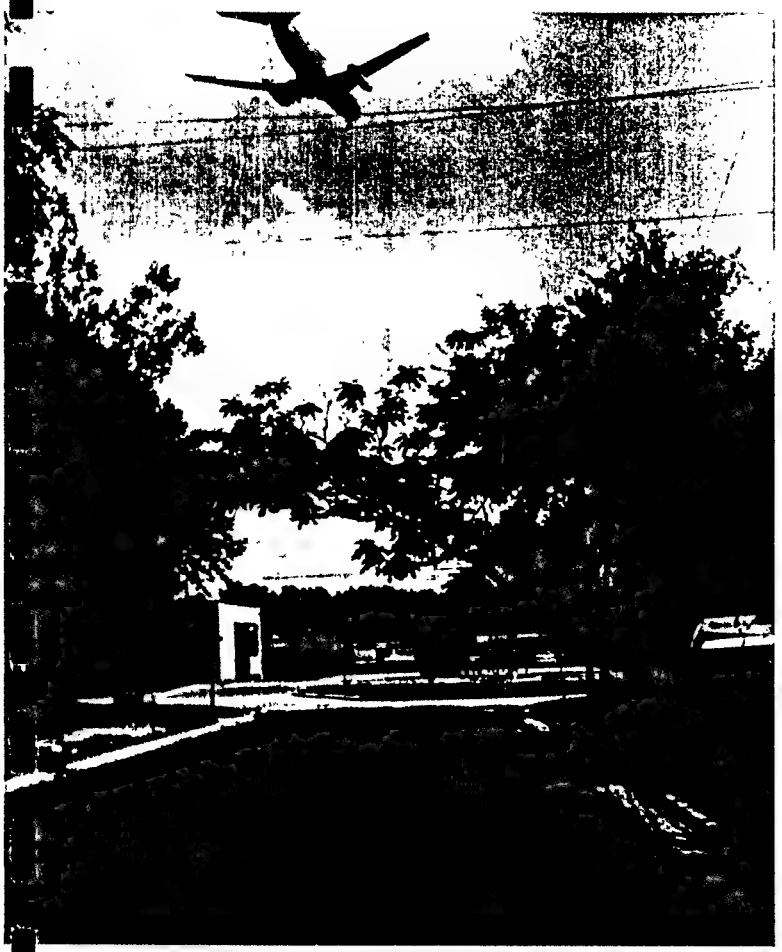
"Inner city airports are characterize by decay in surrounding areas".

Request the City of Austin to pay for the damages to residences for damaged trees caused because of cutting.

When the airport is relocated, the City of Austin should ask residence owners if they want the city to replace dead trees with trees not less than 20 foot in height.

For the birds that don't want to live at the airport. The City of Austin should erect 500 birdhouses in a suitable





To: Camille Barnett-Austin City Manager
Mayor Cooke
Mayor Pro Tem and Councilmembers
Edward G. O'Rourke
Deputy Director of Aviation
Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
Dave Helfert
C.A.R.E. -Alice Embree
Sierra Club

8-29-89

During 1989 on any given day many (65%) of the 106 heavy carriers which carry over 11,386 passengers (Table 3-12 pg 3-23 Technical report II) fly over Ridgetop School, 1/2 mile from runway end 12R.

The Organization for Economic Co-operation and Development in their book entitled FIGHTING NOISE (1986- pg 43 to 45) states

"Disruption of the intelligibility of communication is particularly serious where it affects the education of school children and the mental development of younger generations.

RECEIVED
SEP 5 1989
AUSTIN AIRPORT

A noisy environment is harmful to language development and also to the acquistion of reading skills in... elementary schools (5 to 7 years),

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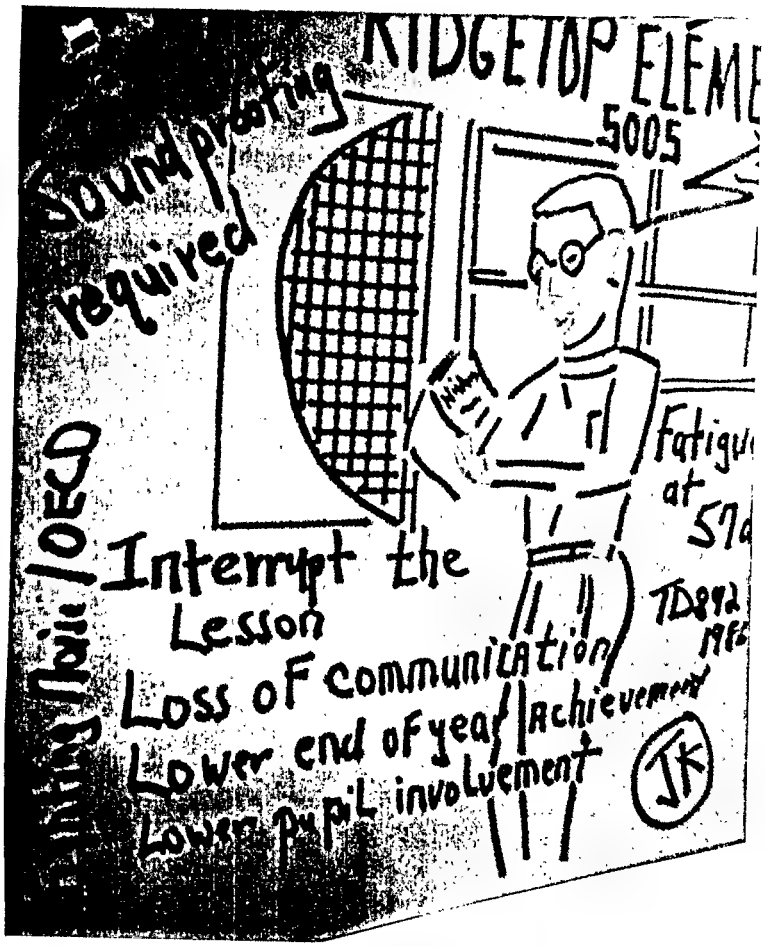
SEP
CITY MANAGER'S OFFICE



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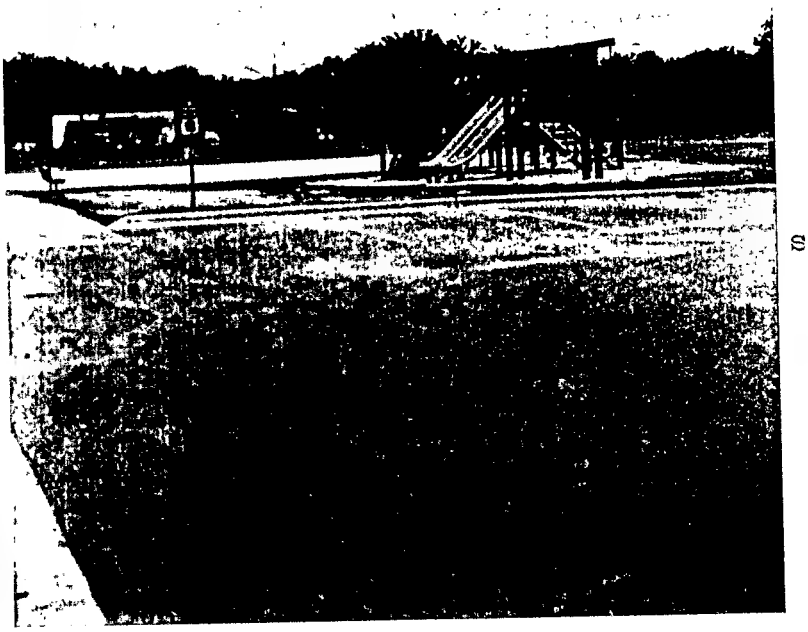

Page 43, 44, 45 Fighting Noise (1986)
State Legislatior passed
S.B 1707 which requires the
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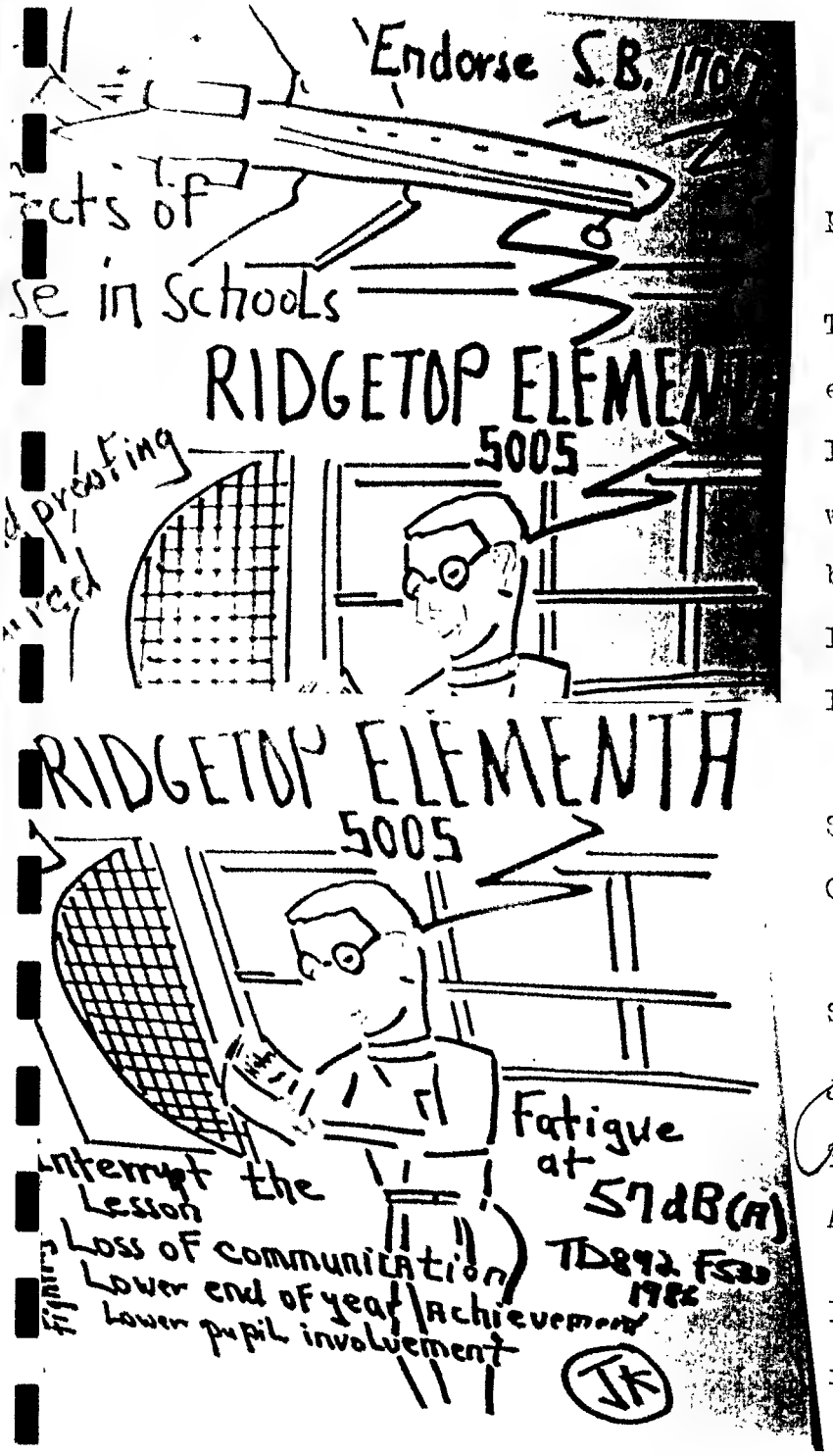


The City of Austin should hire experts to read noise sound levels and determine together with school officials what is the best way to bring the noise level down to a comfortable level.

SUPPORT THE NOISE ABATEMENT BILL OF 1989 Senate bill 1707.

Sincerely

Jerome E. Kroll

912½ E. 50 St.

Austin, Texas 78751

Information on sound levels taken from the book FIGHTING NOISE

To: Mr. Edward O'Rourke Resubmitted 9/5/89

For Jerome E Kroll 8/18/89

(1.) User Fees Contract with Air Lines.
Want to determine if the Contract increases the % percentage of Class 3 type of Aircraft Flying into the airport.

Determine the percentage of class 3 Flying into the airport.

(2) Need to see the list of property where trees are trimmed to determine if easement right or entry rights have been obtained for the 250 properties.

(3) Ldn how to Measure noise

(4) Wanting to obtain a copy of Charles Brothers memo 9-7-5

(5) Contract No for New Taxi runway Lights 3-48-0013-90

To: Camille Barnett
Mr. Brothers-Legal 9-06-89

Under the City Charter I request this information be be mad available and answered in writing. Information needed for safety, health and comfort needs. -10-working days form 8-18 and 25-89. 9/6/89

RECEIVED
SEP 5 1989
AUSTIN AIRPORT

To: Mr Edward O'Rourke Received 9/5/84

From: Jerome Ettroll

9:25 AM

8/25/84

(1) Would like to review Report 3 of 4 (Technical) on the new airport.

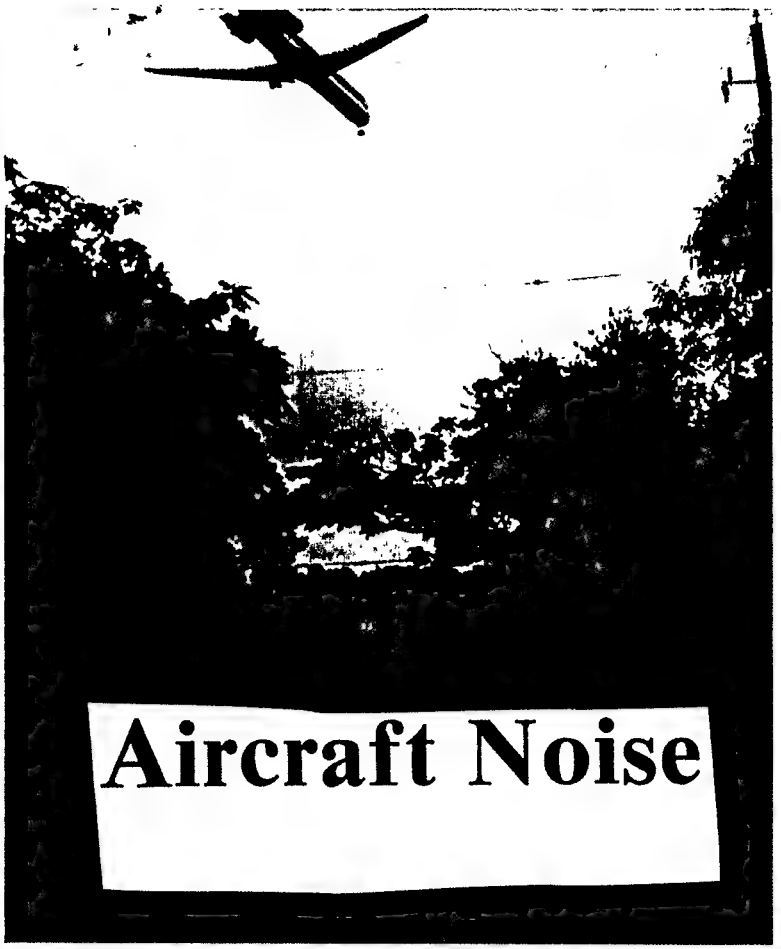
(2) Want to buy a copy of Report 3 on New Master Plan.

(3) Would like to review & see the complaint file on noise from neighbors. How is a complaint on noise handled?

(4) Would like to see letter from FAA that granted a variance from complying with noise abatement procedures.

(5) How is the public Review Committee going to be appointed 12/13 (Master Plan) Under Each Report 9/10/11

(6) 90/81/33 Sound Insulation of Public Schools. Request to see spec folder.



From: Noise Control Engineering
March-April 1982

To: Mayor Cooke
Mayor Pro Tem and Councilmembers
Camille Barnett -Austin City Manager
Edward G. O'Rourke
Deputy Director of Aviation

Copies: Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
C.A.R.E.- Alice Embree
Sierra Club

9-5-89

Agenda 9/7/89 Items 5,6,7

I SUPPORT THE AUTHORIZING OF $30M of Revenues Bonds to be issued together with an attachment to ORDINANCE that states that airlines will increase STAGE 3 aircarriers at the rate of 20% per year. Furthermore the City of Austin will give an incentive to the aircarriers to increase STAGE 3 crafts through USER FEE RATES.

After a decade of aircraft noise legislation, there has been only a small improvement in airport noise exposure. This trend cannot be seen as responsive to public pressure.

RECEIVED
SEP 8 1989
AUSTIN AIRPORT

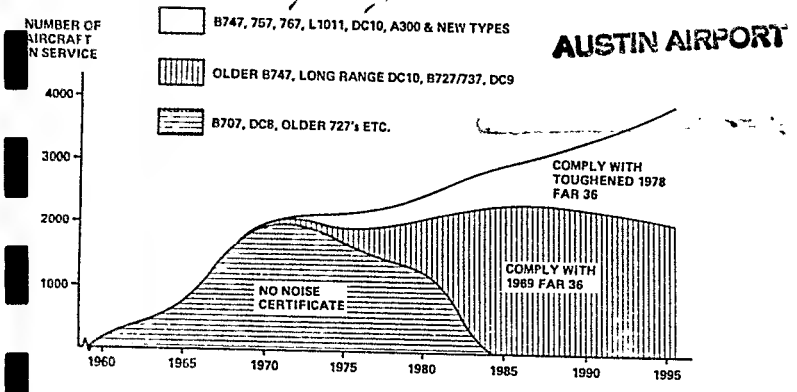


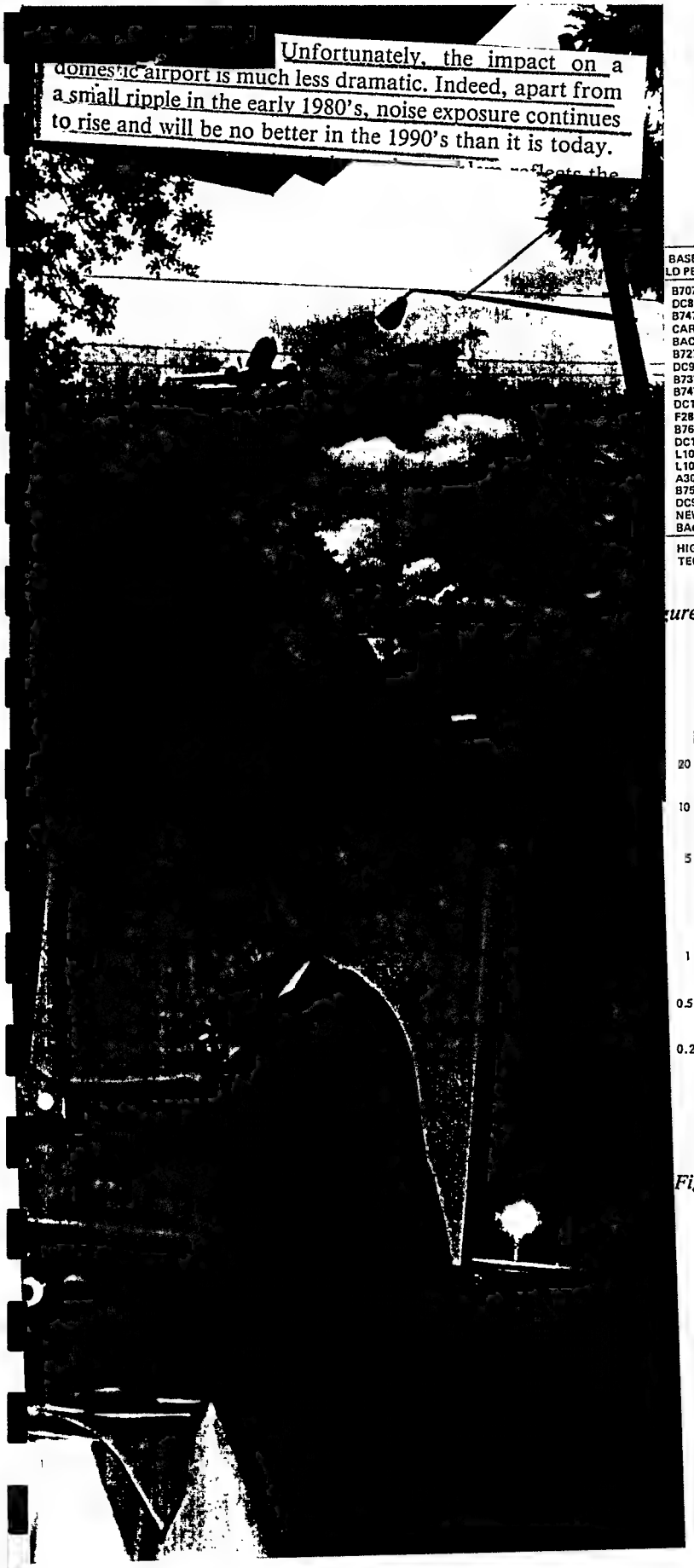
Figure 3—Estimated effect of FAR 91-136 compliance rule

Only 30 percent of the fleet is complying with toughened "STAGE 3" standards

LIFE OF A HEAVY AIRCRAFT FROM INITIAL DESIGN TO EXTINCTION IS 50 YEARS.

Need user fees to give an incentive to the use of Stage 3 aircraft.

Over 50% of aircarriers coming into Robert Mueller Airport


Unfortunately, the impact on a
domestic airport is much less dramatic. Indeed, apart from
a small ripple in the early 1980's, noise exposure continues
to rise and will be no better in the 1990's than it is today.

Page 2 of 2a

do not comply with the toughened 1978 FAR 36 Noise requirements.

BASED ON LIMITING LD PERFORMANCE	ICA FOR LARGE INTERNATIONAL/ MIXED OPERATION AIRPORTS	ICA FOR DOMESTIC AIRPORTS WITH NO LONG HAUL TRAFFIC
B707	B707	
DC8	DC8	
B747-100	B747-100	
CARAVELLE	○ B747-200	
BAC 111	CARAVELLE	
B727	DC10-30	CARAVELLE
DC9-50	B727	B727
B737	○ DC10-10/40	○ DC10-10/40
B747-200	DC9-50	DC9-50
DC10-30	B737	B737
F28	BAC 111	BAC 111
B767	● L1011-500	● L1011-1
DC10-10/40	● L1011-1	● B767
L1011-1	● B767	F28
L1011-500	F28	● A300
A300	● A300	● B757
B757	● B757	● DC9-80
DC9-80	● DC9-80	● NEW TWIN
NEW TWIN	● NEW TWIN	● BAe 146
BAe 146	● BAe 146	

HIGH BYPASS / MODERN TECHNOLOGY

(●) MUST, (●) CAN OR (○) PROBABLY WILL COMPLY WITH LATEST CERTIFICATION STANDARDS.

ure 15—Rank ordering of annoyance using the ICA concept

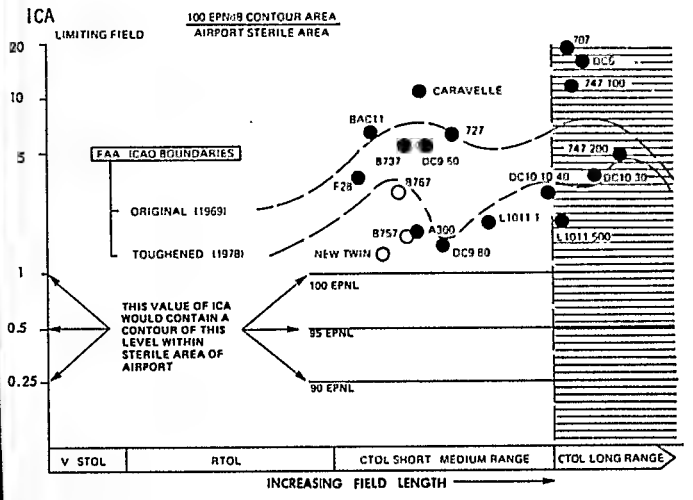


Figure 14—The Index of Community Annoyance

"Continued environmental concerns will promote the addition of Stage III aircraft and the retiring of Stage II aircraft from the fleet mix. (Technical Report II Page 3-21 Master Plan

Sincerely
Jerome E. Kroll
9121 E. 50 St.
Austin, Texas 78751

Disabled airliner lands at Mueller

RECEIVED
SEP 1 1989
CITY MANAGER'S OFFICE
RECEIVED
SEP 1 1989
AUSTIN AIRPORT

An engine on an America West Boeing 737 failed early today as the aircraft approached Robert Mueller Airport, but the plane landed safely and no one was injured, a dispatcher with the Austin Fire Department said.

To: Camille Barnett-Austin City Manager
Mayor Cooke
Mayor Pro Tem and Councilmembers
Tim Ward and Edward O'Rourke
Aviation Dept.
Ridgetop Neighborhood Assn.
Mr. Garry Wilkison

Copies: Department of Transportation
Federal Aviation Administration
Airport Divisions
Sierra Club
C.A.R.E. Alice Embree

9-01-89

COMPLAINT" Disabled Airliner flying 160 ft from my home and the breaking of the curfew

DISABLED AIRLINER LANDS AT MUELLER headlines of Friday's Austin American Statesman reads.

On 11/13/87 it was reported that the Federal Government reported that America West flight 226 from Midland Odessa was chronically late and was on a schedule faked to meet a city curfew. (Austin American-Statesman)

Now 2 years later America West Boeing 737 with a failing engine is again breaking the curfew and landing 1:03a.m.

Request FAA and city officials to investigate why the curfew was broken and if all safety procedures were met.

Last night I was awoken by this aircraft and also awoken sometime after 5:00 a.m. by another aircraft.

Request that the curfew be made mandatory and that late arriving aircraft be fined.

Now in regard to safety I request that it be determined if we all the safety equipment needed.

In the 11/86 "Safety Report" it states on page 150 that the Mueller and Buffalo had the least

Disabled airliner lands at Mueller

An engine on an America West Boeing 737 failed early today as the aircraft approached Robert Mueller Airport, but the plane landed safely and no one was injured. a dispatcher with the Austin Fire Department said.

Firefighters stationed near the airport were mobilized when the pilot of the aircraft radioed air traffic controllers that an engine on the jet had failed.

The transmission from the pilot came when the airline was about five minutes away from the airport.

The jet landed safely at 1:03 a.m., said a dispatcher with the Airport Police.

The origin of the flight was not known, nor was the number of passengers.

A spokeswoman at the airline's general offices in Tempe, Ariz., said officials there did not know about the emergency landing.

"As of now, we haven't heard anything about that at all," the spokeswoman said.

She said no flights were scheduled to land in Austin until a 6:05 a.m. flight from Los Vegas. The final flight Thursday was an 11:25

equipped units with repect to available fire-fighting vehicles. Is this statement still true?

Since last night's incident, not more than 160 ft from my home I request the City of Austin to take out a "LIFE INSURANCE POLICY " for not less than $500,000 on each residence in the clear and approach zone.

On page 151 of the Safety report it states "Mueller compared poorly to the airport in the small sample with respect to the number of off-site obstruction on the main runway approaches."

I request FAA and City Officials to direct the legal dept to purchase my easement rights and others over my property.

Safety requires the proceed of purchasing easement rights in the clear and approach zones.

I also notice that not all the telephone and electrical poles are shown in the approach zone Clearance Obstruction maps of 1987. Request that all poles and their heights be noted on the obstruction maps.

Request a written response within 10 working days - This is a safety issue.

Jerome E. Kroll

Jerome E. Kroll
9121/2 E. 50 St.
Austin, Texas 78751

to request any claim [illegible]
the grant monies be returned to FAA.
Request a written response in 10 working days.

Exhibit B

Mr. O Rourke 9/1/89

This is my third request to see Technical Report Number #3. I would like a copy.

Jay E. Hall

RECEIVED
SEP 1 1989
AUSTIN AIRPORT

SEP 01 1989
CITY MANAGER'S OFFICE

Exhibit A

To: Camille Barnett-Austin City Manager
Mayor Cooke
Councilmembers
Human Relation Board

9-01-89

Complaint: Against The Aviation Dept

After I ask for the Technical Report III a third time to Barbara Miles of the Aviation Dept.

She stated that the City Manager Office asked her to ask me if I had a

request about having an adult video concession stand at the airport and that I should ask Mr. Mark Weaver.

I want an immediate investigation of this blackmailing question.

Jerome E. Kroll
503 West 13 th St. 1A-122
Austin, Texas 78701

Signature of Affiant

Sworn to and Subscribed before me by 1st this of Sept, 1989 to certify which Notary Public in and for the State of Texas.

My commission expires 03-29-92

Notary Public

BETTY G. BROWN NOTARY PUBLIC State of Texas My Commission Expires: 03-29-92

BETTY G. BROWN NOTARY PUBLIC State of Texas My Commission Expires: 03-29-92

SEP 01 1989

CITY MANAGER'S OFFICE

AIR CARRIER NOISE LOG
ROBERT MUELLER MUNICIPAL AIRPORT

Name: Jerome E Kroll

Address: 912½ E 30th St (Owner) Renter

City: Austin, State Texas Zip Code 78757

Telephone Number:

Date 9/4/89 Labor Day (Holiday)

Reading inside with Air conditioning going & radio playing 54dB(A) (music)

New Home built 1986 Weighted Average Slow response

TIME	DATE	DB READING Aircarrier passing INSIDE	OUTSIDE	FIGHT NO.	AIRLINE
11:32 AM	9/4/89	64 dB(A)	X		
11:52	9/4/89	64 dB(A)	X		
12:06	9/4/89	66 dB(A	X		
11:47	9/4/89	62 dB(A)	X		
11:57	9/4/89	66 dB(A	X		
12:25 PM	9/4/89	66 dB(A)	X		
12:43 PM	9/4/89	64 dB(A)	X		
12:58 PM	9/4/89	64 dB(A)	X		
12:48 PM	9/4/89	64 dB(A	X		
12:53 PM	9/4/89	64 dB(A)	X		

Comments: Health Reaction (How Noise interferes with sleep & rest - sleep disturbances occur once the indoor sound levels exceed 30-35 dB(A) or once the peak levels exceed 40 dB(A). Pg. 12 Fighting Noise TD892-F533 Organ for Econ (o-operation 1982 Sound levels of 30 to 35 dB(A) inside the bedrooms. Above 45 dB(A) significant changes occur in sleep structure, awakening and annoyances take place. Auditory fatigue occurs at 75-80 dB(A) a low of higher threshold of perception. Loss of conversion at 70 dB(A)

Request City of Austin to Signature
Sound proof & buy air easement
rights over my home.

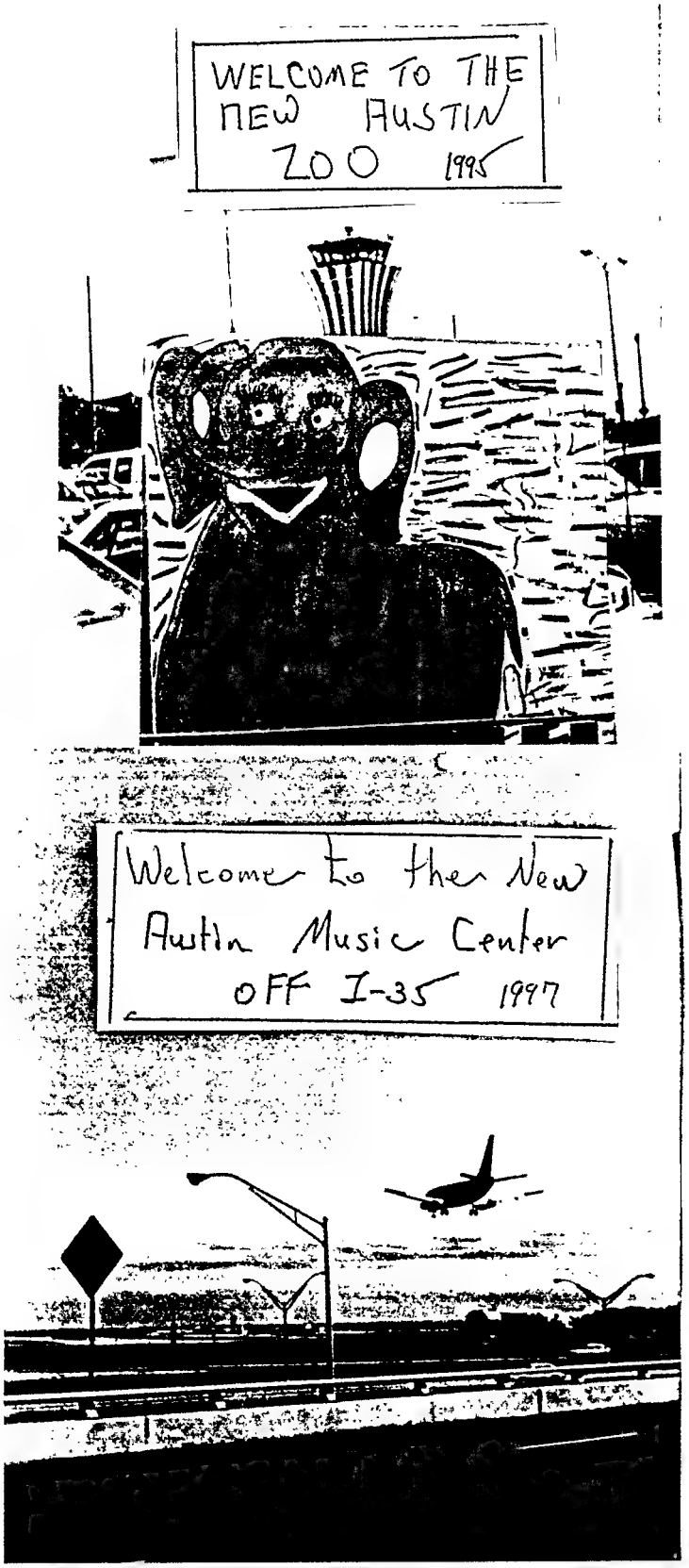
Signature of Affiant

Sworn to and subsribed before me by

this ____ of ____, 1989 to certify which Notary Public in and for the State of Texas.

My commission expires

Notary Public



To: Department of Transportation
Federal Aviation Administration
Airport Division

SUBJECT: ENVIRONMENTAL IMPACT STATEMENT

Mr. Anderson
Mr. Gene Faulkner

Copies: Sierra Club
Camille Barnette-Austin City Manager
Mayor Cooke
Edward G. O'Rourke Deputy Director of Aviation
Ridgetop Neighborhood Assn.]
Mr. Garry Wilkson
Dave Helfert
Mr. Kurt Sauer, Attorney
C.A.R.E Alice Embree
Schieffe Neighborhood Assn.
Mr. Seekins
Councilmembers
Manor Area Neighbor Organizations
Mr. John Cutright
Cherry Wood Neighborhood Assn
Delwood Two Neighborhood Organ
Hyde Park Neighborhood Assn
Wilshire Wood-Delwood I Neighborhood Assn.

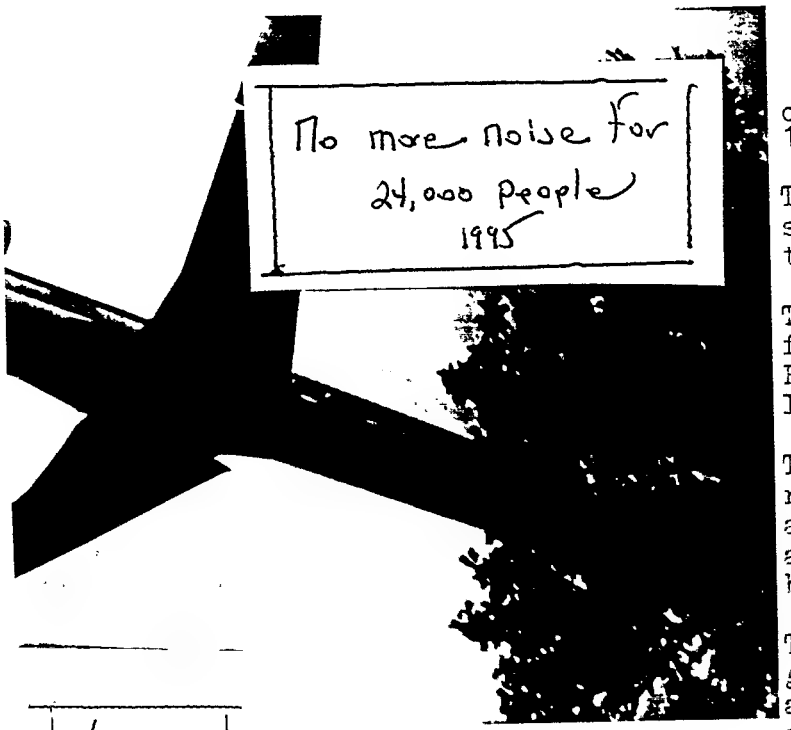
8-29-89

Whereas the City of Austin has damaged the Robert Mueller environment for over 24,000 people for many years and has cut trees in the clear and approach areas, it is requested that the SIERRA CLUB would foster together with any interested parties an agreement that would protect the environments of both the Manor and Robert Mueller sites.

Request the Aviation Dept of the City of Austin together with public officials to declare its intention to donate 120 acres of the present Robert Mueller site for a Z O O.

That the present terminal building and parking lots be dedicated as a public zoo after the airport moves.

That in addition the City of Austin would donate and plant 500 trees



See Exhibit A
New Zoo

of not less than 12 ft tall in the 120 acres dedicated to the zoo.

That the city would plant 3,000 shrubs of not less than 3 foot tall in the new zoo.

That 2 ponds or lagoon be built for wildfowls as shown in Exhibit A together with 200 water lilies and other water plants.

That certain areas off I 35 be rezoned for entertainment centers and a Music Center and that a 15 foot high barrier be built between center and zoo.

That buildings where the national guard are be converted into a museum of natural history, and cultural center.

That a small section be turned into a farmers market.

That seed money of $300,000 be given for purchase of animals and birds.

That several acres off 51 St be given for a vocational school.

That an acre be donated for an outdoor homeless center.

That the Aviation Dept would buy one fire truck for the present fire station on Airport Blvd to be renamed Mueller Zoo Blvd.

And that in the commerce areas another 500 trees of not less than 10 ft high would be planted.

And that the Aviation Dept would build a running and walking trail around the complete outer perimeter as a gift to the 24,000 people who have been hurt because of noise intrustions into their lifes.

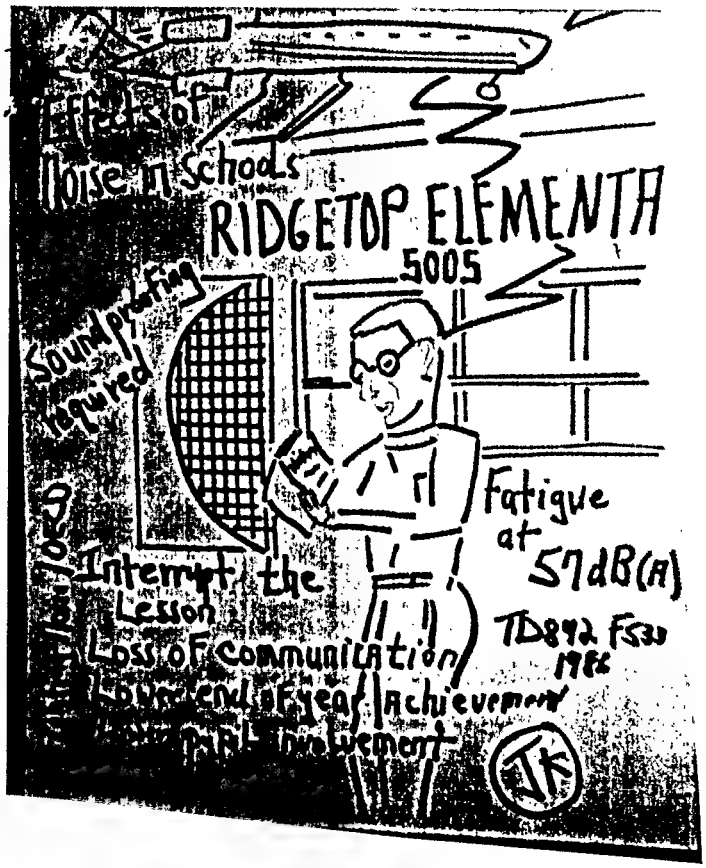
Sincerely
Jerome E. Kroll

912½ E 50st
Austin, Texas 78751

SOMETHING

Mueller Zoo

TO SING ABOUT



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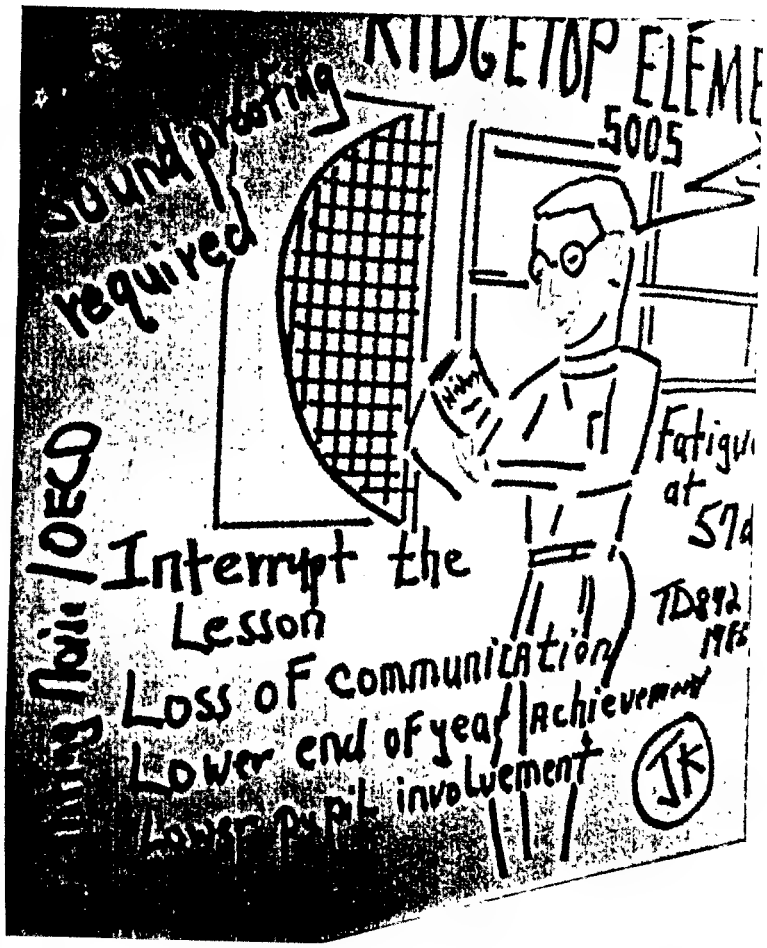

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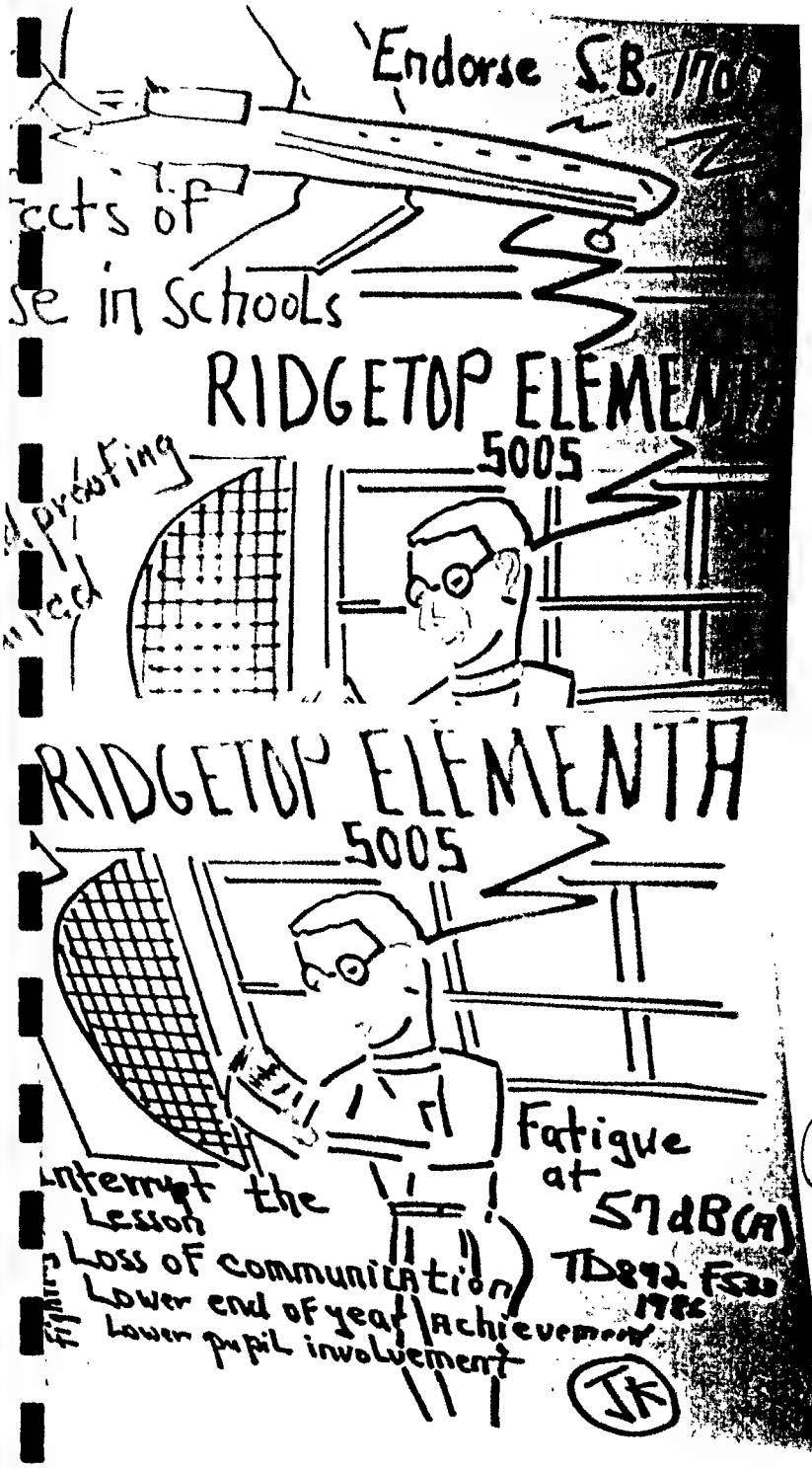

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SUPPORT THE NOISE ABATEMENT BILL OF 1989 Senate bill 1707.

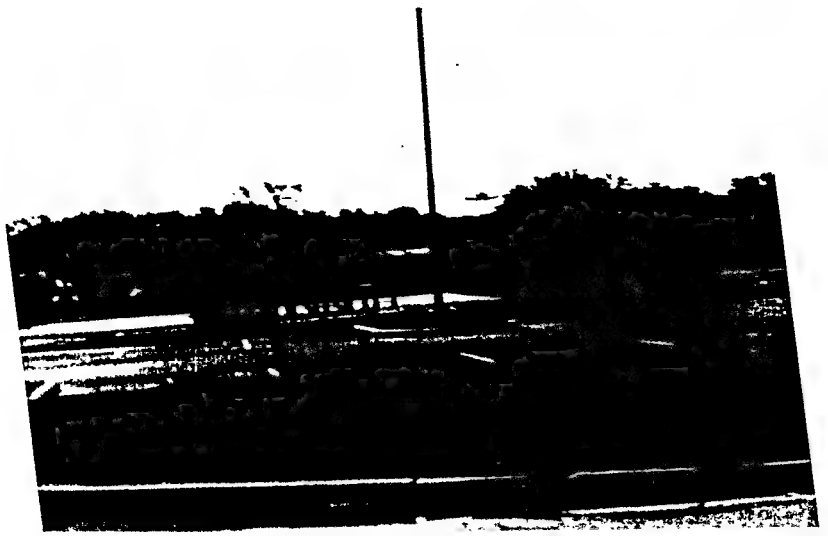
Sincerely

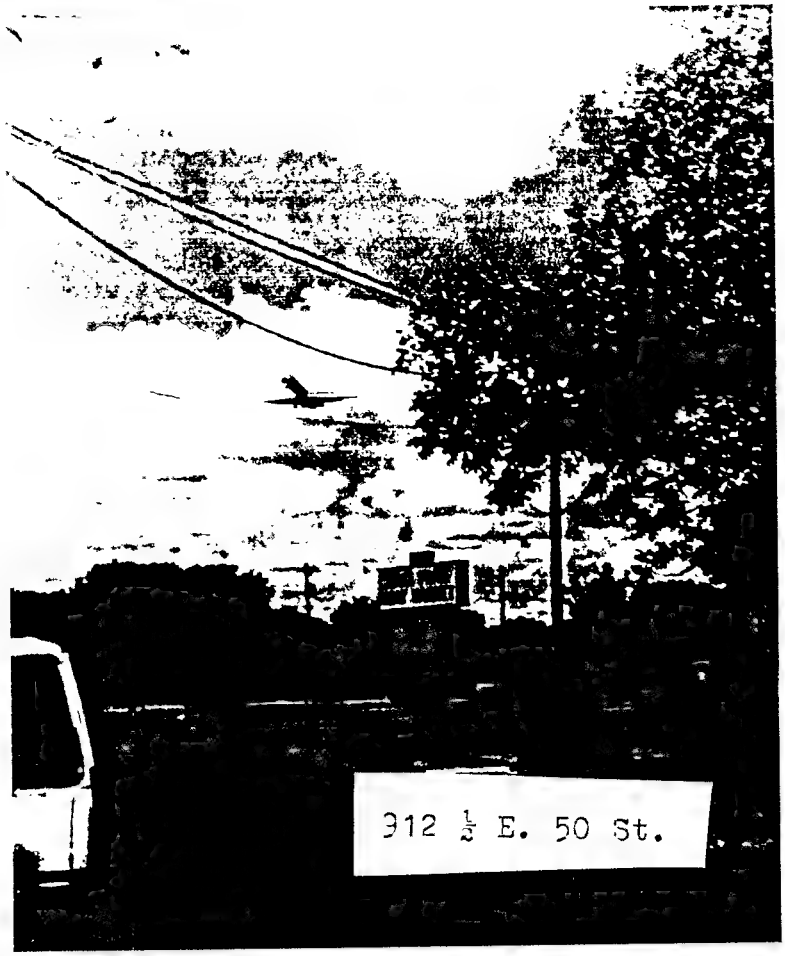
Jerome E. Kroll

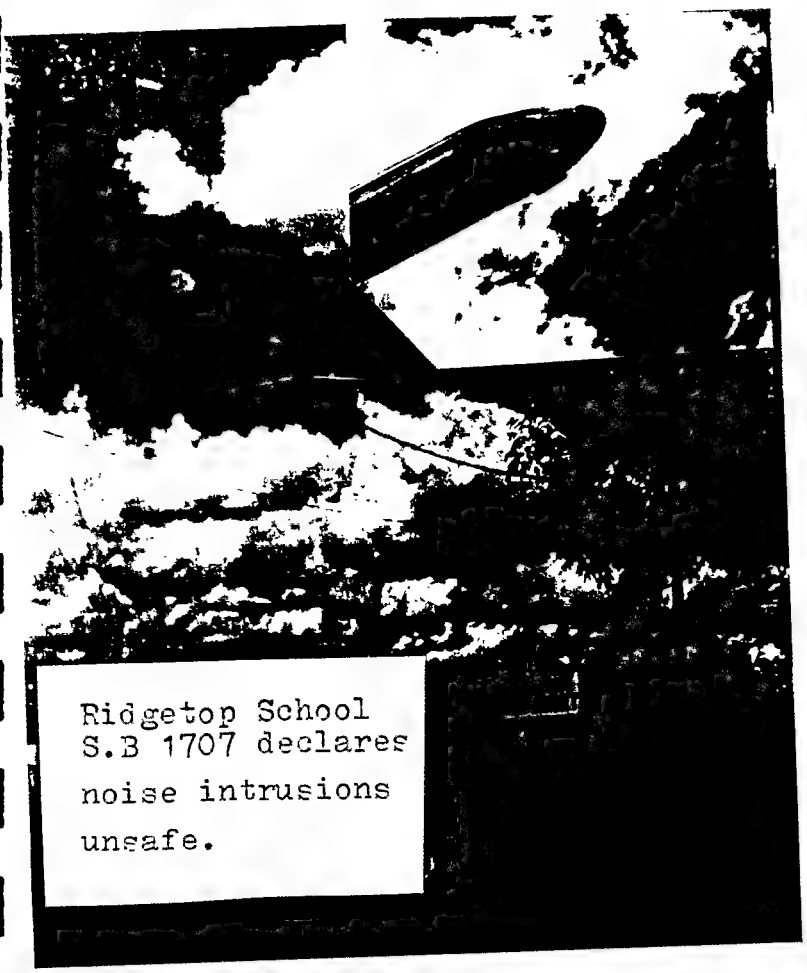
912½ E. 50 St.

Austin, Texas 78751

Information on sound levels taken from the book FIGHTING NOISE







To: Department of Transportation
Federal Aviation Administration
Airport Divisions

REF: Environmental impact statement

Mr. Gene Faulkner

Copies: Camille Barnett-Austin
City manager
Mayor Cooke
Edward G. O'Rourke-
Deputy Director of Aviation
Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
Dave Helfert
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Mr. Seekins
Councilmember Barnstone
Sierra Club
Manor Area Neighbor Organizations
Mr. John Cutright

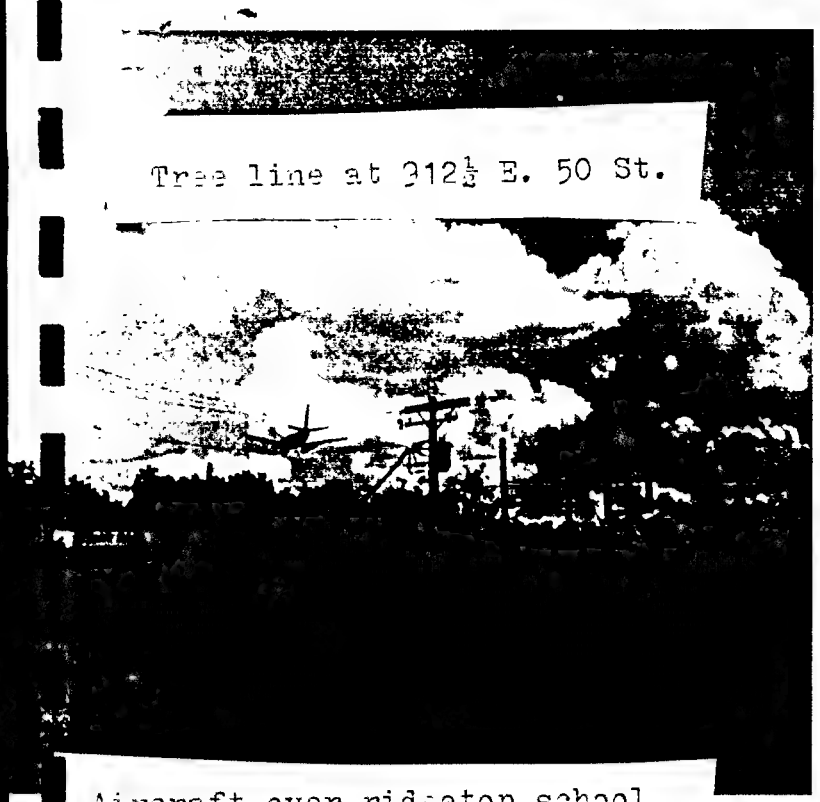
8-28-89

The City of Austin in accepting grant 3-48-0013-10 dated Sept, 1988 to expand Robert Mueller Airport has assured FAA that the City complied with the Aviation Safety and Noise Abatement Act of 1979. It is my opinion under Part 5, Assurances that the City of Austin has not complied with the Aviation Safety Act and that the expansion does not include all the safety equipment and has not given full consideration of local interest.

It is my opinion the City of Austin has not followed the Airport Layout Plan of 1977 Exhibit A in that the land in clear zone off runway 12R was not acquired as shown, that proposed localizer was not instal that proposed Malsr lights were not properly installed, in the clear zone off runway 12R.

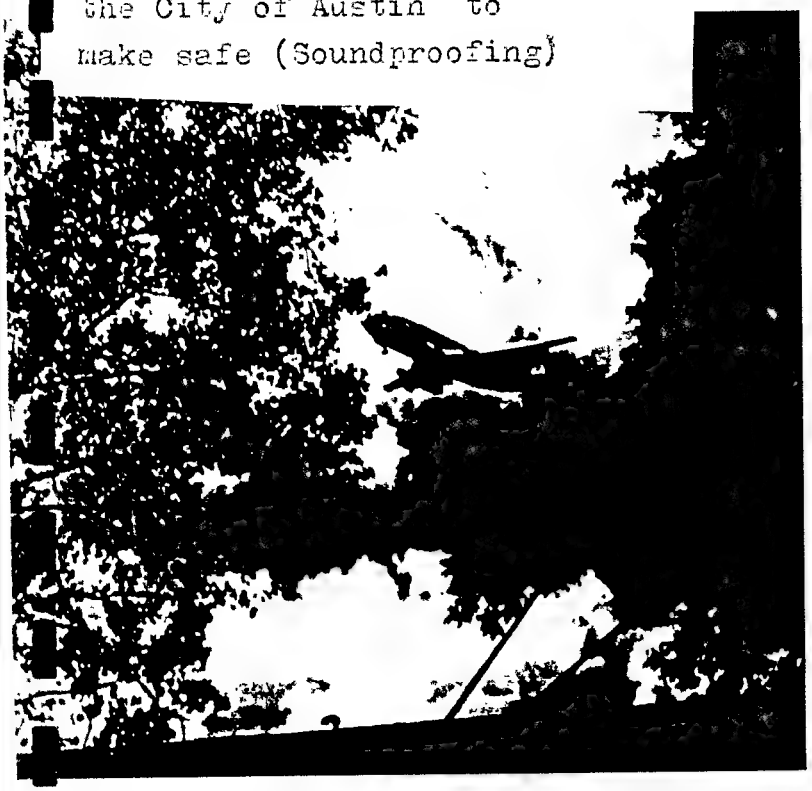
I am of the opinion that the City of Austin has exposed my property at 912½ E. 50 St to excessive dangers from noise and vortex intrusions.

The City of Austin has exposed my person and property to



Tree line at 912½ E. 50 St.

Aircraft over ridgetop school
S. B. 1707 requires
the City of Austin to
make safe (Soundproofing)



physiological and psychological dangers , noise intrusions causing interference with speech because the City of Austin does not follow the landing pattern of landing at 30L in a safer clear zone of 50:1 approach where there are approach lights and a propose Touchdown zone lighting and where the contour on 30L begings at elevation 556 and proceeds to 629 (an upward grade).

Instead 65% of the Air traffic lands on runway end 12R going through residence areas where there are no approach aids or lighting.

Sixty-Five % of the aircraft landing on 12R go through a 34:1 clear zone where no land acquisition was acquired nor proper easement rights obtained.

The aircraft now land on a higher grade of 629 contour and roll down toward a lower 556 contour, thus not taking advantage of grade to slow the craft down.

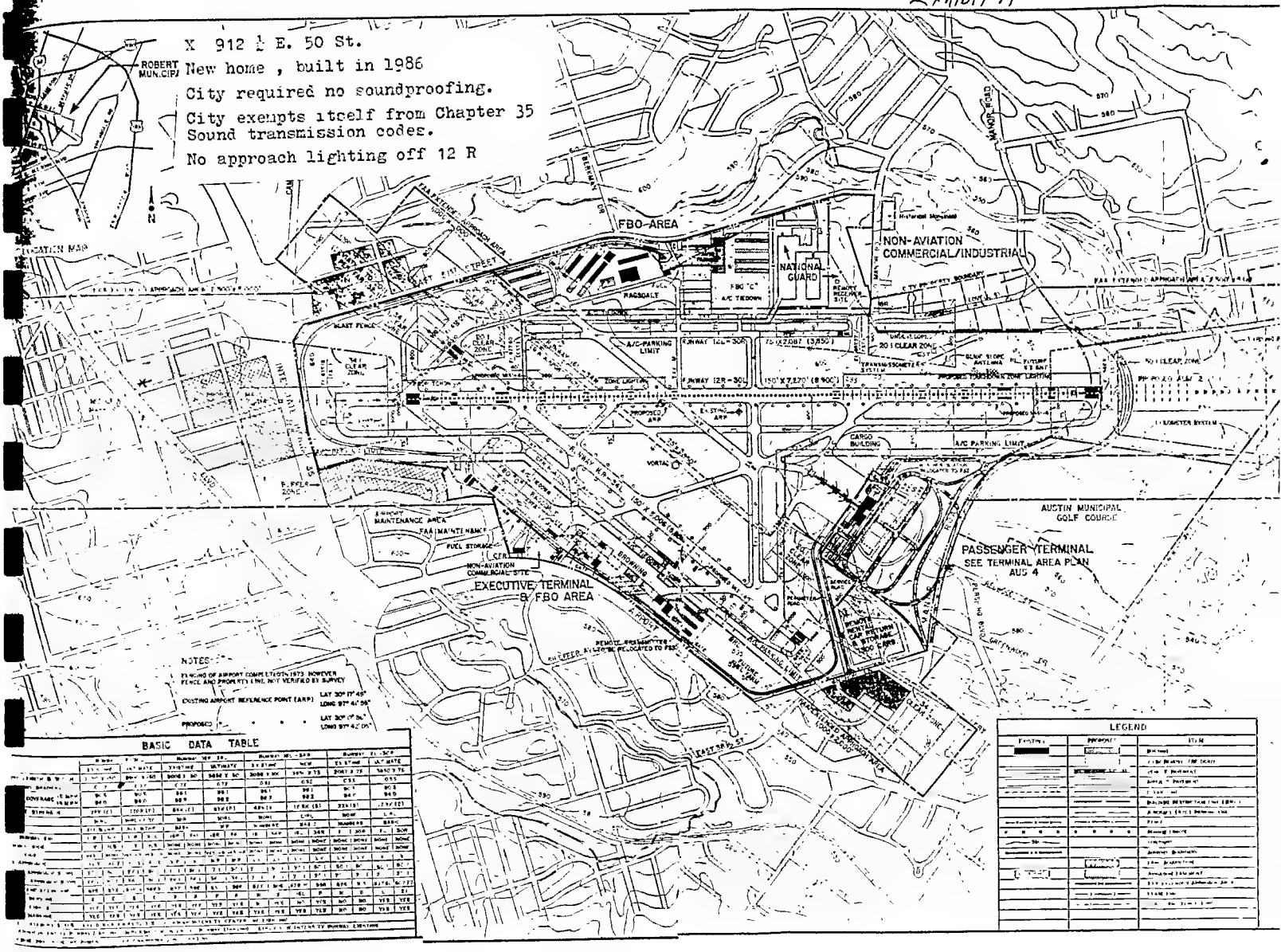
Thus the City of Austin has grossly neglected my health, my safety and my comfort and my environment in accepting grant 3-48-0013-10 to expand Robert Mueller Airport.

It is my opinion that this grant 3-48-0013-10 has and will greatly contribute to living conditions which harm my environment around 912½ E. 50 St which is 300 ft from Ridgetop School in which the State of Texas has declared unsafe because of NOISE INTRUSIONS AND HAS COMMANDED THE CITY OF AUSTIN TO SOUNDPROOF (S.B. 1707).
Request a written response in 10 working days. This is a safety issue.

Jerome E. Kroll
912 ½ E. 50 St.
Austin, Texas 78751

Exhibit A

X 912 ½ E. 50 St.
New home , built in 1986
City required no soundproofing.
City exempts itself from Chapter 35
Sound transmission codes.
No approach lighting off 12 R



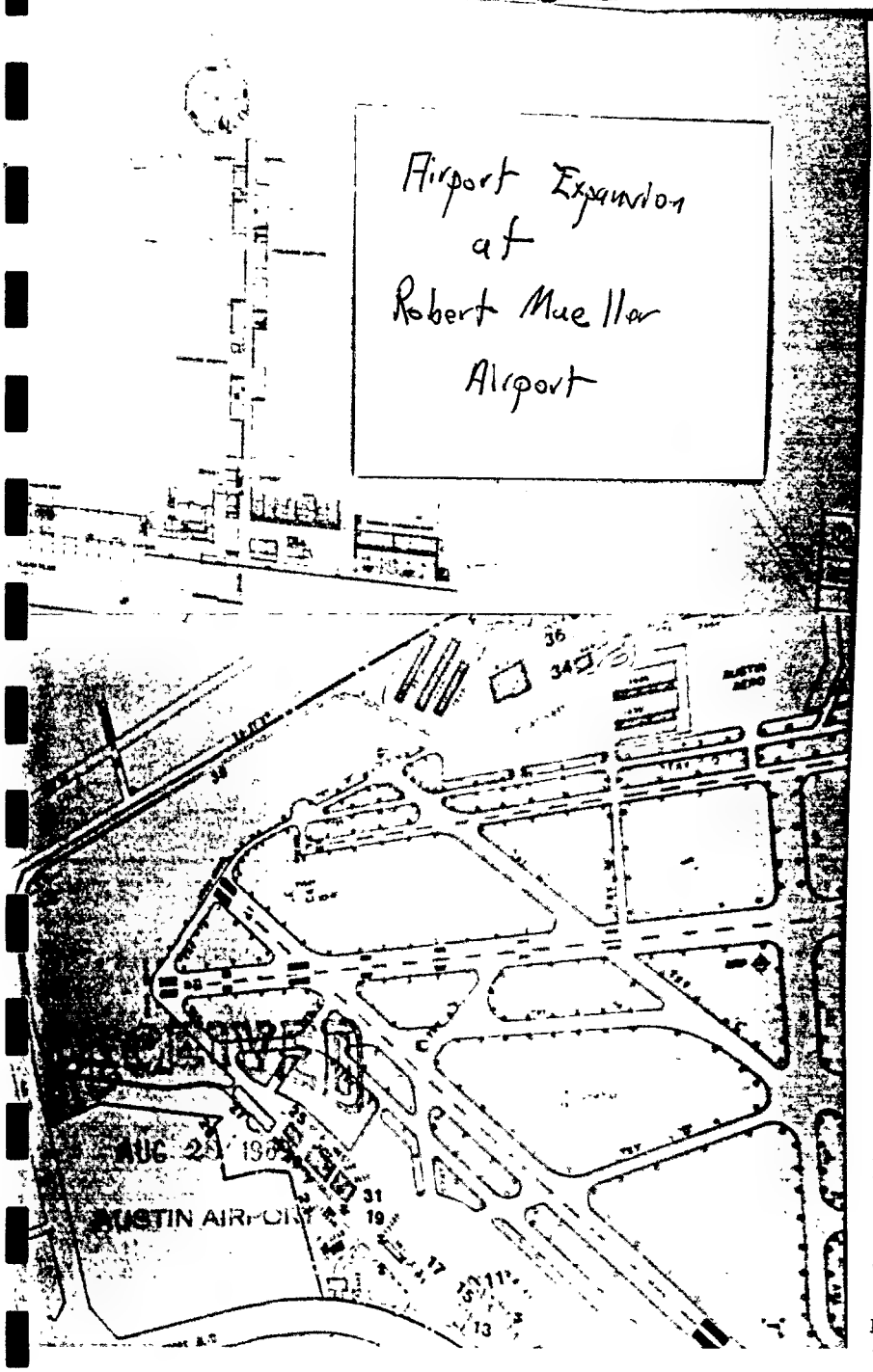
To: Department of Transportation
Federal Aviation Administration
Airport Divisions

Ref: Environmental Impact Statement

Mr. Gene Faulkner

That noise abatement procedures begin immediately to protect residential and other noise-sensitive development around the airport.

11/15/84 Austin Airport Task Force

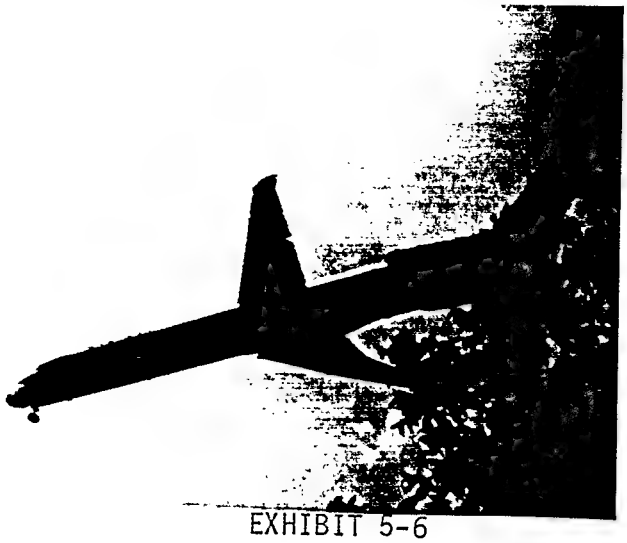


Copies; Camille Barnett
-Austin City Manager
Mayor Cooke
Edward G. O'Rourke-
Deputy Director of Aviation
Ridgetop Neighborhood Assn.
Mr. Gerry Wilkison
Dave Helfert
Mr. Kurt Sauer, Attorney
C.A.R.E.- Alice Embree
Schieffe Neighborhood Assn.
Mr. Seekins
Councilmember Barnstone
Sierra Club
Manor Area Neighbor Organizations
Mr. John Cutright

8-26-89

Owner of 912½ E. 50 St. who lives 2,690 ft off runway 12 R objects to the City of Austin accepting project grant 3-48-0013-10 to expand Robert Mueller Airport without the city buying his easement right and soundproofing his home.

The City of Austin by expanding capacity will allow 65% of the 96,000 aircarriers (Table 3-16 page 3.29 Master Plan-new) to inflict on property owner (by 1995) a damaging E N V I R O N M E N T to home, property and person in regard to excessive noise vortex intrusions and no approach lights in the 12 R Approach zone, thus making his property subject to extreme danger .



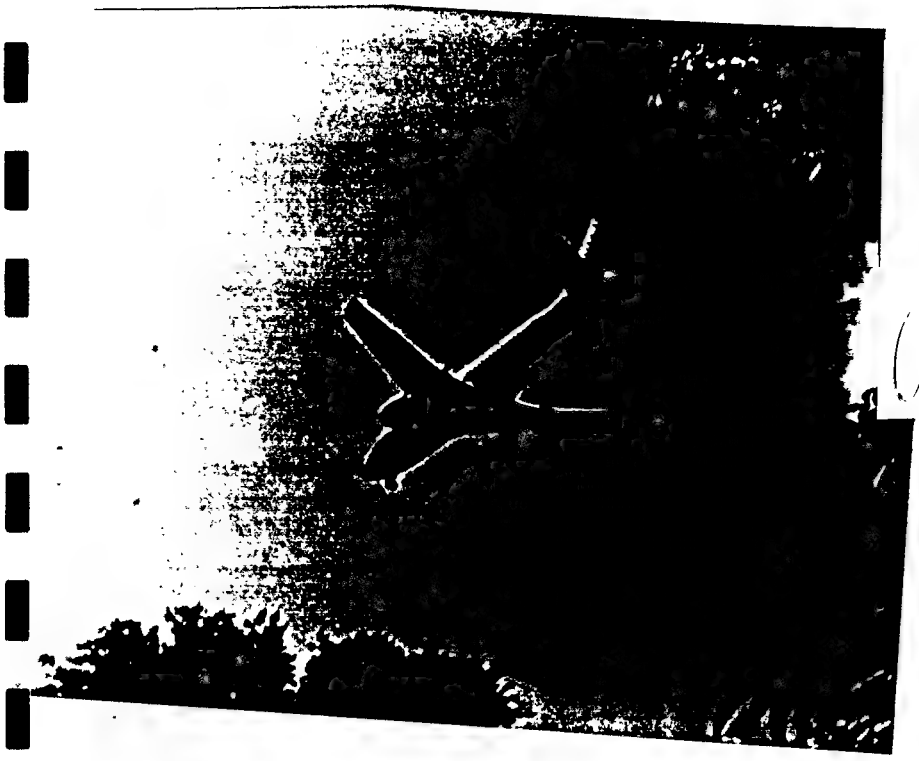
1977 Master Plan

EXHIBIT 5-6

INSTRUMENT APPROACH PROCEDURES

No Approach Lights on runway 12R (Airport is 1535)

RUNWAY	TYPE STRAIGHT-IN	LIGHTING APPROACH	LIGHTING RUNWAY
30L	ILS	HIALS, SFL	HIRL
30L	NDB	HIALS, SFL	HIRL
30L	ASR	HIALS, SFL	HIRL
12R	ILS	65% of Aircarriers at night flying above my home --	HIRL
12R	VORTAC	approach in the dark	HIRL
12R	ASR	where there are no approach lights.	HIRL



The STATE OF TEXAS in Senate Bill 1707 has stated that the City of Austin has never complied with the FEDERAL NOISE ABATEMENT ACT. Since FAA is the enforcer of the 1979

Pg 2 of 2

NOISE ABATEMENT ACT I urge the Federal Goverment to join with the State of Texas in enforcing this ACT to protect the environment around Robert Mueller Airport.

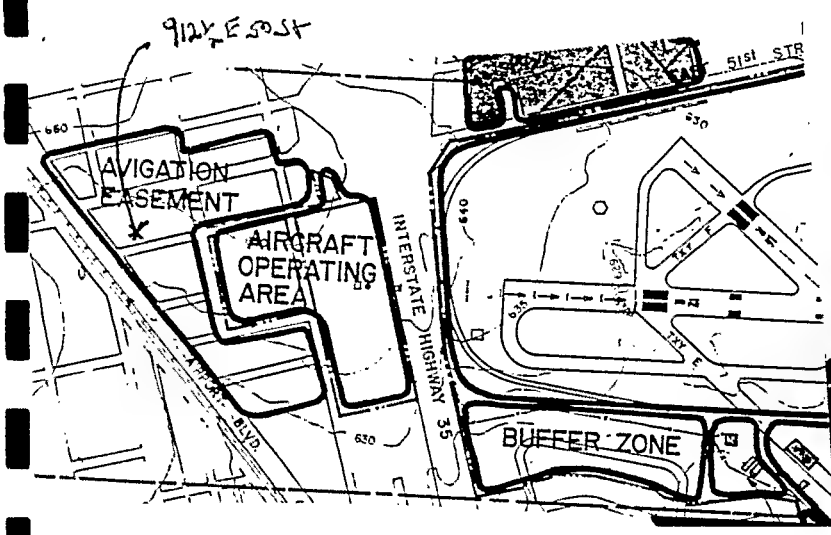
Any VARIANCES that Robert Mueller Airport has must be revoked . I state that the exposure to noise and other dangers make it imperative to revoke all VARIANCES and that all NOISE ABATEMENT POSSIBLE ACTIONS should now be enforced.

I have measured the noise levels in and around my home and I state that I believe that the conditions are damaging my person, property, and home. TIME IS OF THE ESSENCE. THE SAFETY, HEALTH, and COMFORT of citizens are at risk.

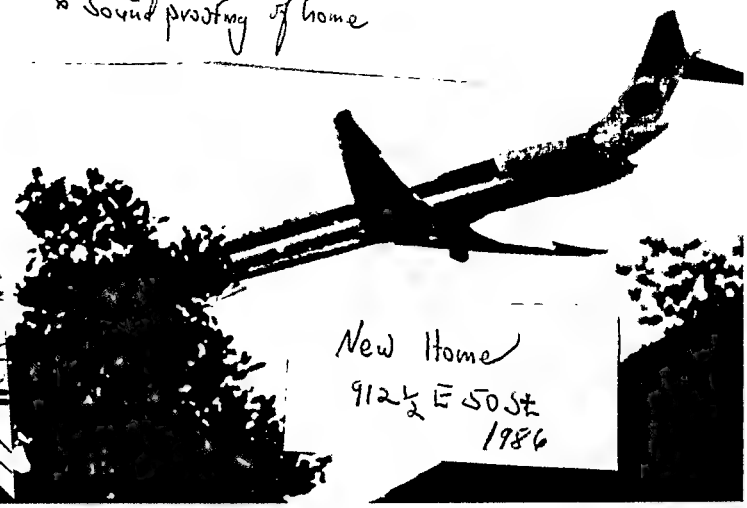
I request an investigation to why NOISE ABATEMENT RECOMMENDATIONS in the 1977 MASTER PLAN were not implemented.

8/29/89

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751



Owner request the City to buy Avigation easement & Soundproofing of home



New Home
912½ E 50 St
1986

Finally, an example of a poor or incompatible land use around airports is residential land use. This is because most houses are not properly soundproofed to withstand aircraft noise and many people do not like aircraft flying over their homes. Also, in the event the homes are needed for airport expansion, it becomes very expensive to acquire people's houses. The best way to prevent such a situation from developing is to have proper zoning controls which prevent housing developments from growing up next to airports.

Austin is fortunate to have Airport Zoning Regulations which provide for building height restrictions in the Airport Hazard Area. The ordinance also prohibits certain land uses in the Airport Hazard Area, such as flashing lights, structures that will create electrical interference between the Airport and aircraft, excessive generators of smoke or soot, and in certain areas of the Airport Hazard Area, places of public assembly or institutional structures.

Taken from Master Plan Study 1970 Ralph H. Burke, Inc Airport Consultants

First, there are no published aircraft noise control procedures in effect at Robert Mueller Airport. Aircraft are not restricted in any way on departure or arrival procedures to reduce noise pollution. Turn outs after take off are permitted before aircraft reaches altitudes that would minimize noise pollution and restrict the greater noise to departure courses centered on extension of the main runway. Approach procedures are also not restricted for noise control measures. Aircraft are permitted to fly visual landing patterns resulting in 'dragging noise' across areas of north Austin. Minimum altitudes, other than normal traffic pattern limitations, are not established and published in the Airman's Information Manual. These statements have been verified through several pilots, who regularly use the airport. Discussion of this matter with Robert Mueller authorities, indicate no current procedures to minimise noise pollution. A 1979 letter was produced to support interest in noise control procedures. No current written procedures exist.

Austin Airport Task force Minority Report by John Cartwright 11/15/84

Environmental cost inflicted by Mueller airport

8/23/89

by Alice Embree
Special to the American-Statesman

The Federal Aviation Administration has begun a public comment period on a draft Environmental Impact Statement on the Manor site for the new Austin airport. In an Aug. 8 Public Forum article, Susan Ridgway Garry invited the public to comment on everything from "Manor airspace conflict" with birds to the greenhouse effect and global warming. The lack of any new, substantive environmental information on which to comment underscored the weakness of the case she is attempting to build against the Manor site.

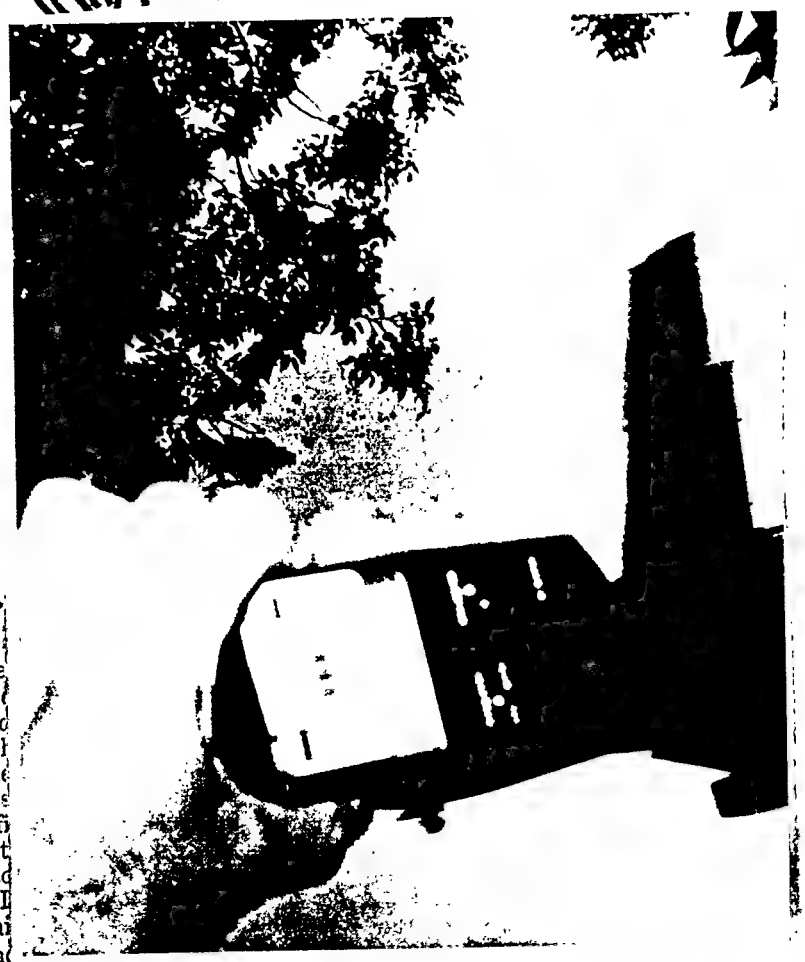
It is time to inject some sense into this comment period by talking seriously about Austin's aviation/environmental options and by examining the consequences of not implementing the decision that voters made nearly two years ago. Recall that figures on the long-term costs and environmental impacts of remaining at Mueller and moving the airport were presented to voters. Financial costs were comparable, but the environmental impacts differed dramatically. Austin voted over 56 percent to move the airport primarily because of environmental considerations and safety concerns. A side-by-side comparison of the environmental options are provided:

Environment impact	Mueller expansion	Manor airport
Population displaced	9,516	962
Households displaced	3,086	308
Businesses displaced	164	12
Churches displaced	17	1
Other community facilities displaced	12	0

But from an environmental viewpoint, what would ve accomplish by remaining at Mueller? An expanded Mueller will only expose other neighborhoods to airort noise. Austin would be left with environmental npacts similar to those that exist today and the opportunity to build a model environmental airport at Manor lost.

	Mueller	Manor
opulation remaining in noise ones	10,678	0
Households remaining in noise zones	4,777	0
chools remaining in noise zones	9	0
hurches remaining in noise ones	16	0
arks remaining in noise zones	5	0

Those who would like to defeat the airport move rese to defend the financial and human cost of keeping ueller. Instead, they accuse the city of presenting udulent options to the voters in 1987. Their accusaignores two important facts. First, the FAA has they will fund only long-term projects at Mueller contribute to national airspace capacity. All such ons require realignment of runways to eliminate conflict with Bergstrom and the paving over of half



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Airport
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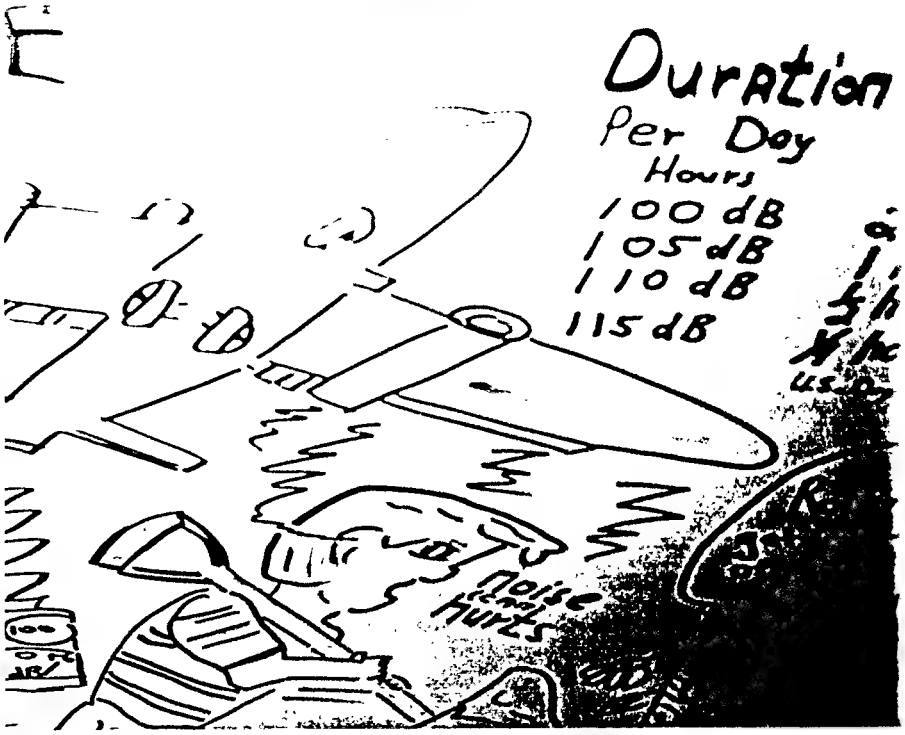
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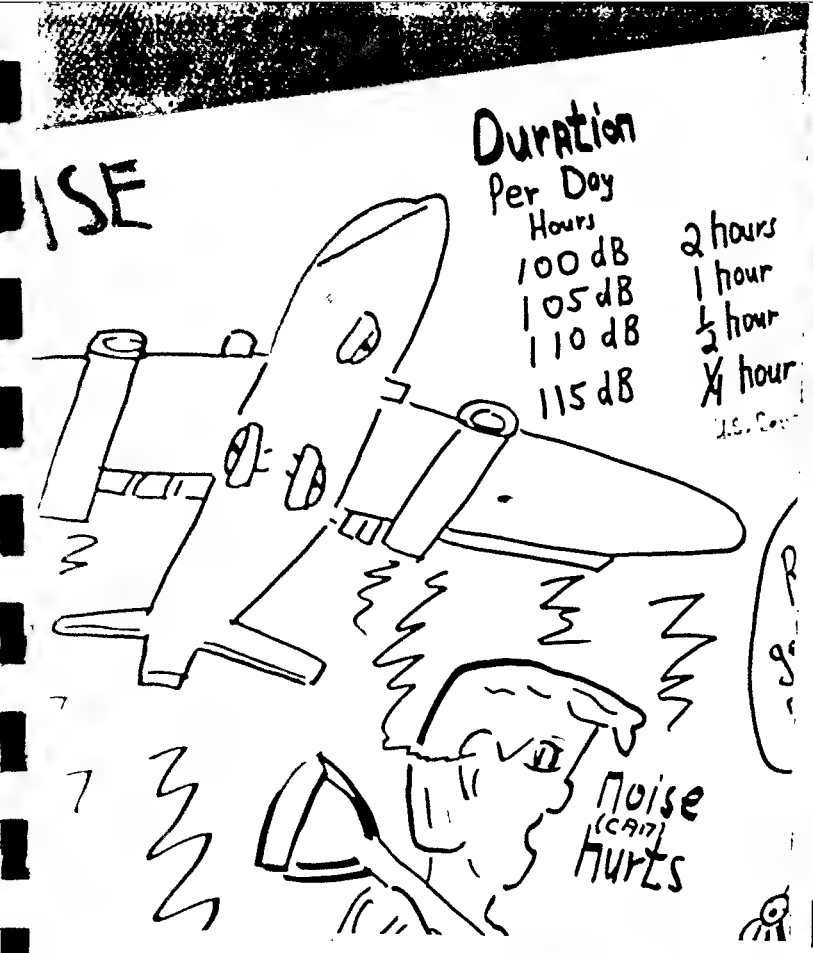
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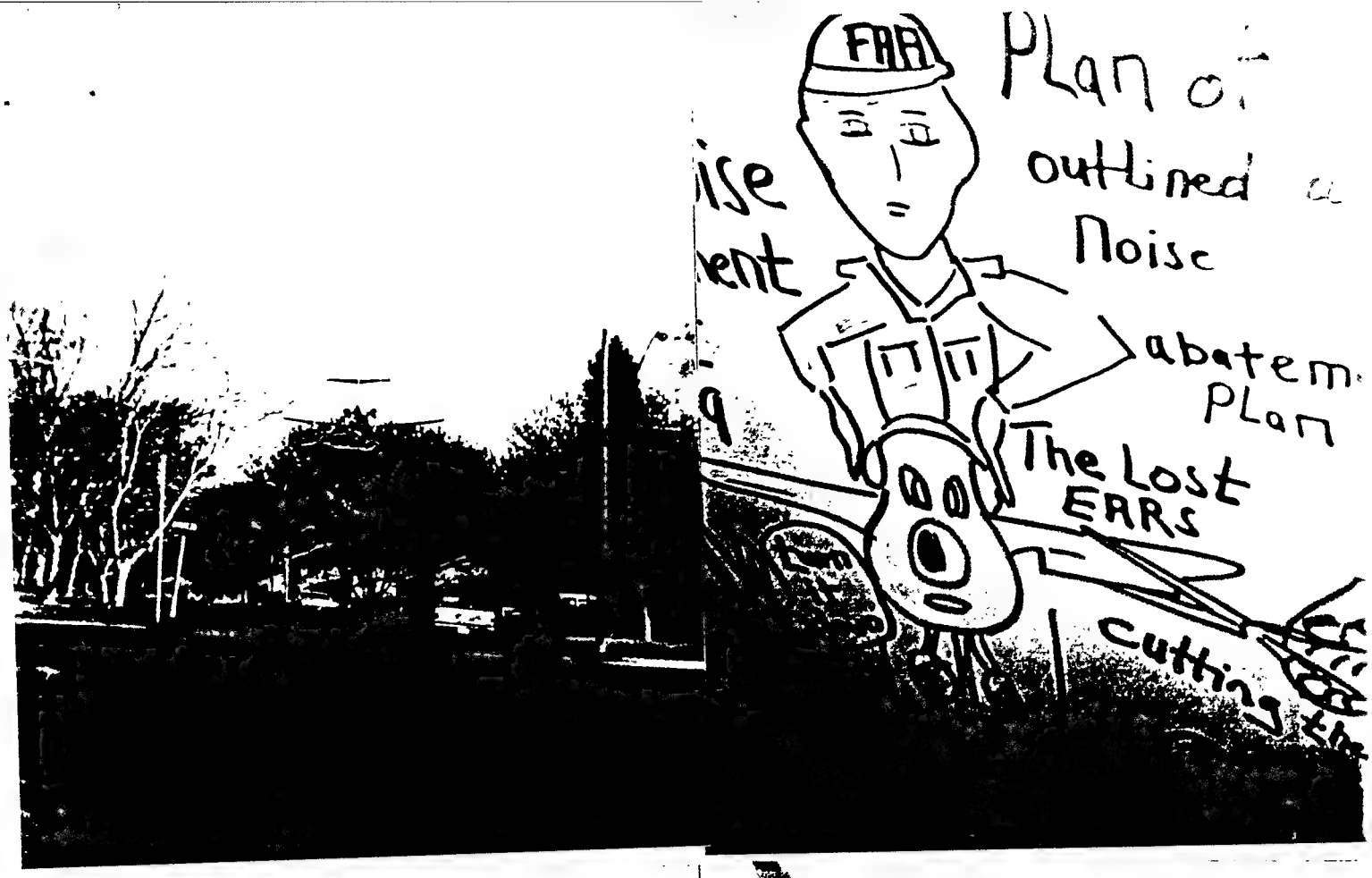
Can you hear me? Did you turn the Red Light ON?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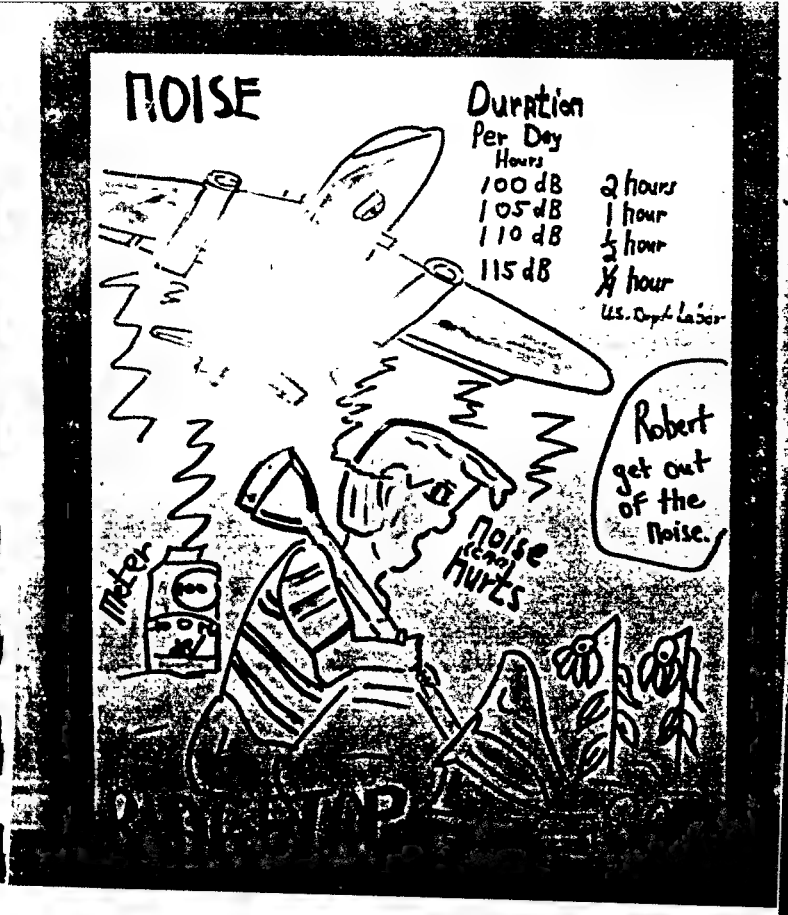
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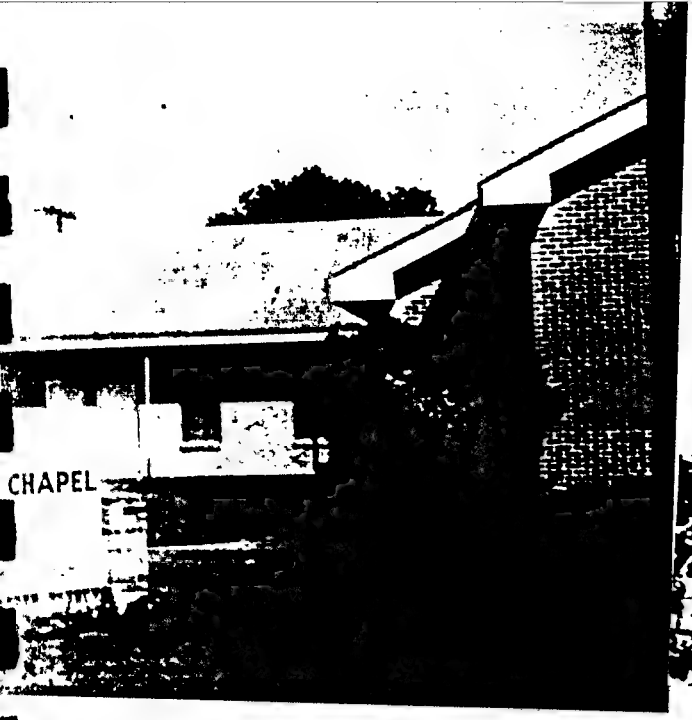
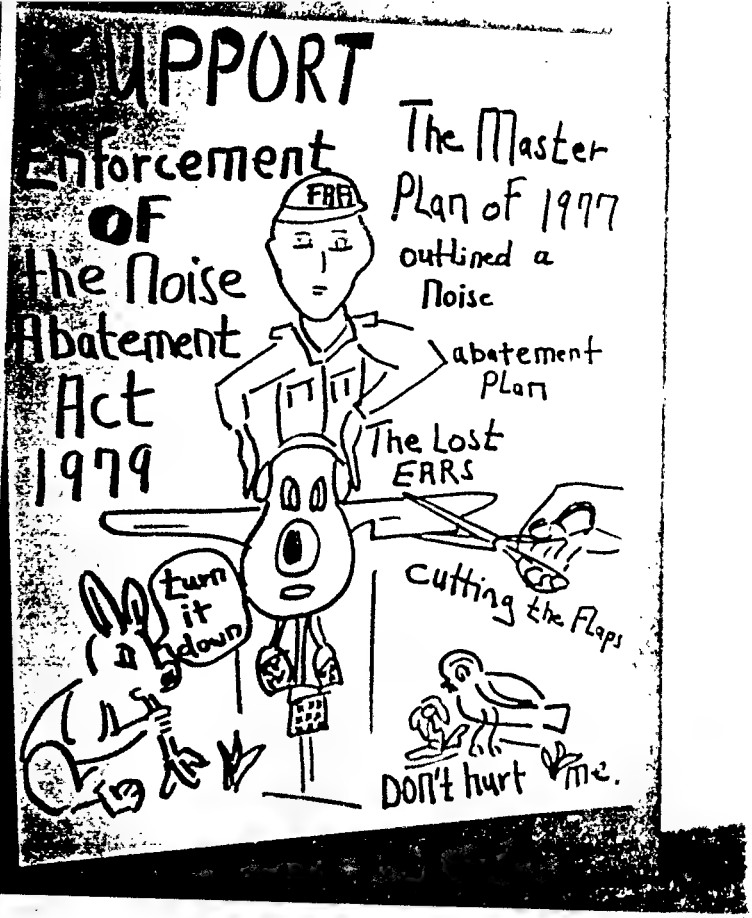
Robert get out of the Noise.
Noise can hurts
Mother


CHAPEL

Littlevine
PRIMITIVE BAPTIST
CHURCH

APEL

HAIR DESIGN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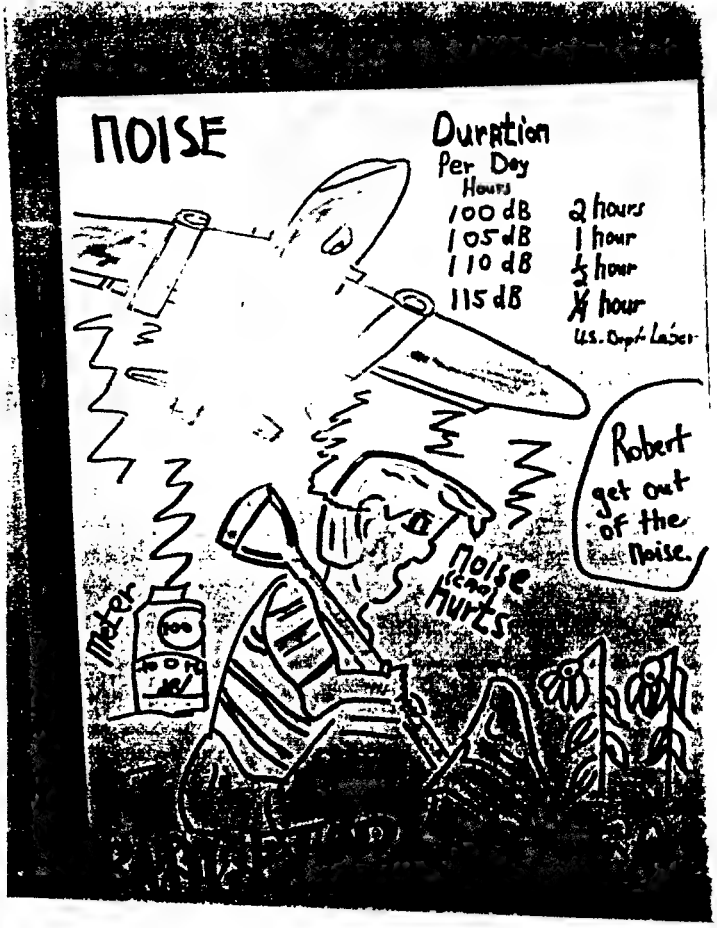
NOISE
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110 dB ½ hour
115 dB ¼ hour
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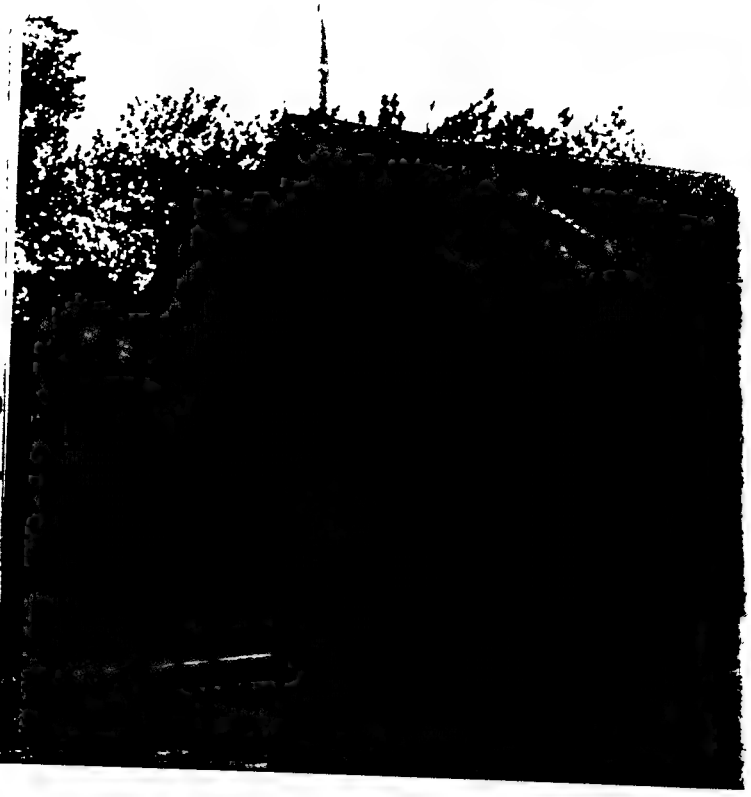
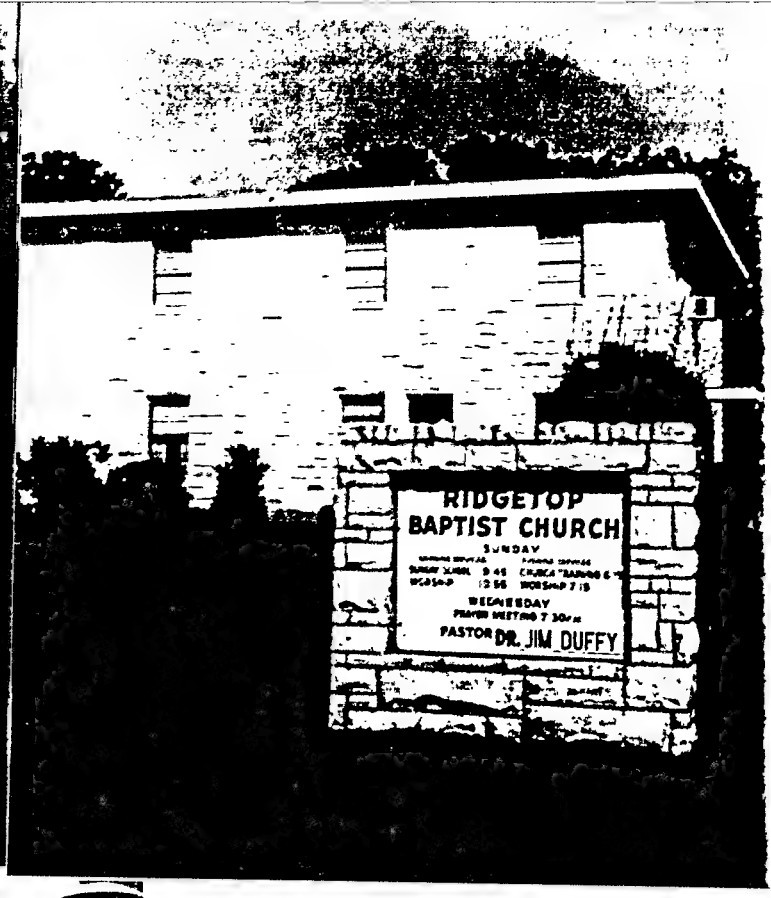
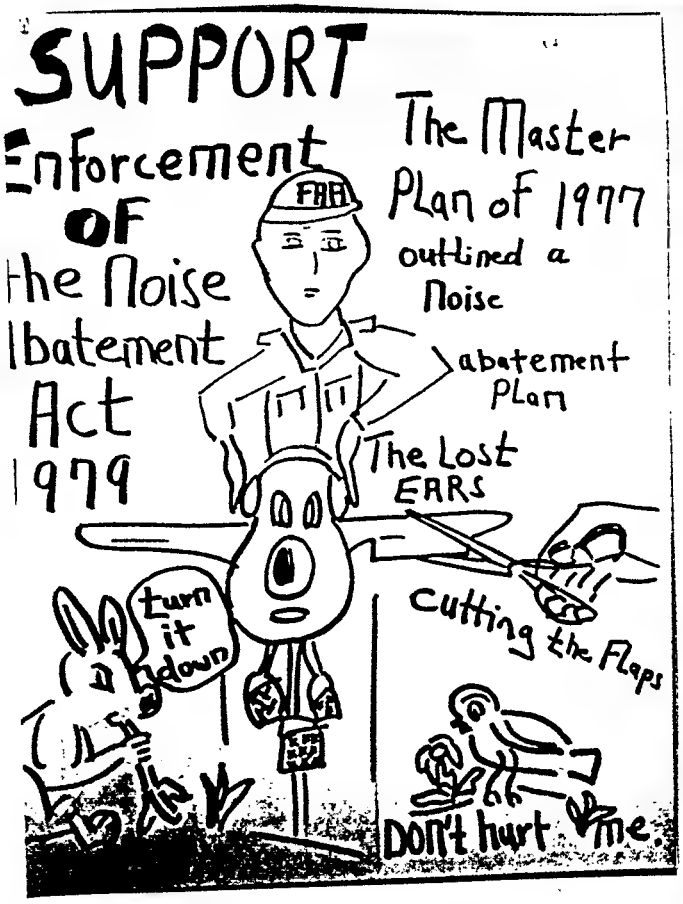
Noise can Hurts
Meter




RIDGETOP
BAPTIST CHURCH
SUNDAY
WEDNESDAY
PASTOR DR. JIM DUFFY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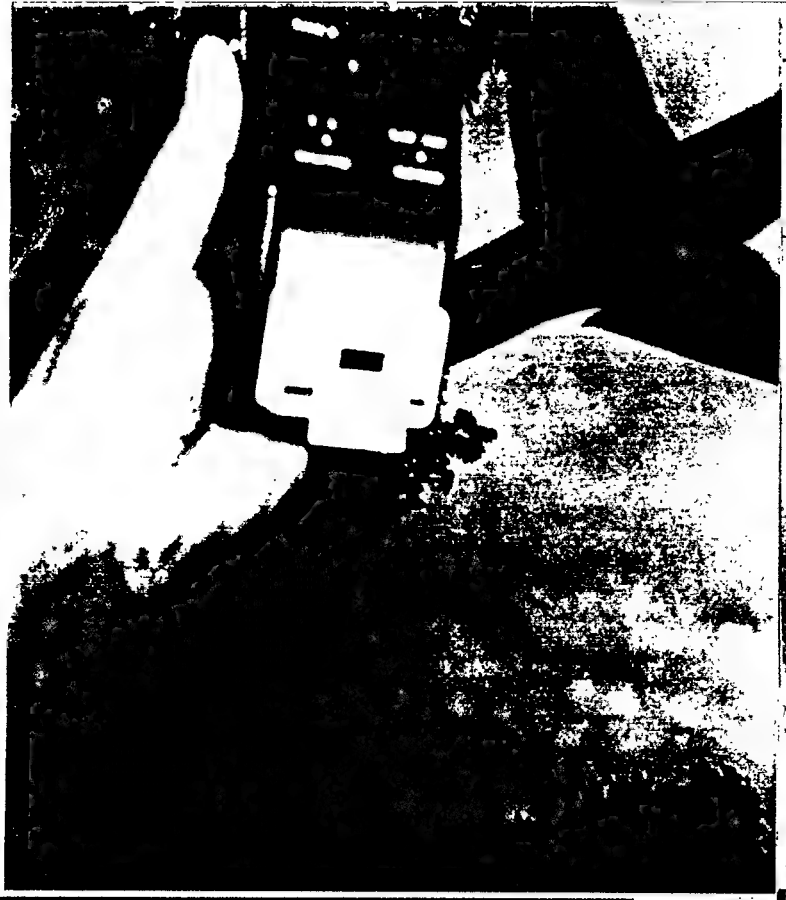

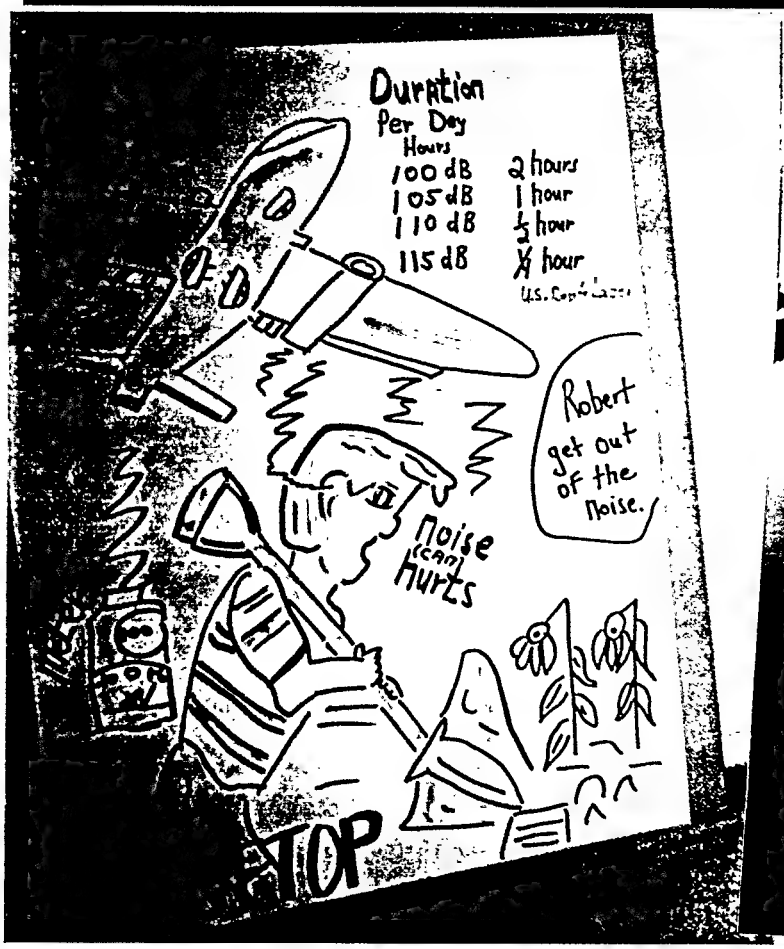
Duration
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100 dB 2 hours
105 dB 1 hour
110 dB ½ hour
115 dB ¼ hour
Robert get out of the Noise.
Noise can Hurts
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unity to build a model environmental airport at or lost.

	Mueller	Manor
ulation remaining in noise s	10,678	0
seholds remaining in noise s	4,777	0
ols remaining in noise zones	9	0
rches remaining in noise s	16	0
s remaining in noise zones	5	0

ose who would like to defeat the airport move re- to defend the financial and human cost of keeping ller. Instead, they accuse the city of presenting ulent options to the voters in 1987. Their accusa- ignores two important facts. First, the FAA has they will fund only long-term projects at Mueller contribute to national airspace capacity. All such ns require realignment of runways to eliminate onflict with Bergstrom and the paving over of half ast Austin. Second, they ignore the experience of r cities. Invariably the pattern has been the same: ents around the airports organize and file law- against their city for noise damages. The cities nd are liable for millions of dollars in damages.

nally, settlements are reached which involve mass emnation of whole neighborhoods and expensive ams to sound-proof homes and public buildings miles around the airports.

ttle and Atlanta, for example, have airports with comparable to Austin. Each city is spending well $200 million on noise reduction programs. This is the path Austin has chosen. Yet, this is the likely me if the alleged environmental problems at r are magnified, and the real, day-to-day prob- of over 27,000 Austinites are forgotten.

e urge individuals and organizations to write the and ask them to conduct their Environmental t Statement with an awareness of the real envir- ental burden Mueller inflicts on thousands daily with a recognition of the clear choice Austinites two years ago when they voted overwhelmingly ve the airport. Submit comments to: Depart- of Transportation, Federal Aviation Adminis- ion, Airports Division, Fort Worth, Tex. 76193- The public comment period ends September 5.

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mbrce is Co-Chair of Citizens for Airport ocation.

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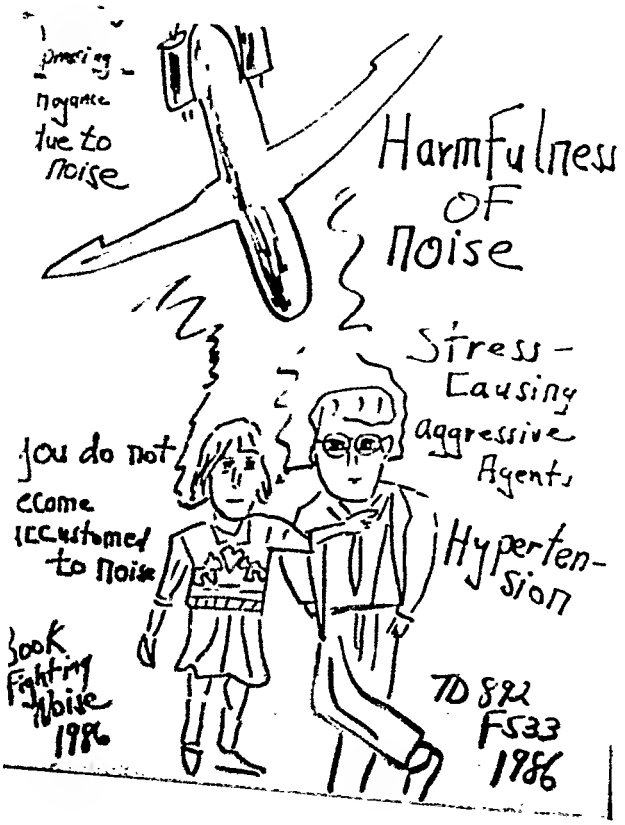


RECEIVED
AUG 28 1989
AUSTIN AIRPORT

TO: _____

August 21, 1989

There are 300 air carriers presently landing at Robert Mueller Airport each week (Table 3-11 Master Plan 89)

One half mile from runway 12 R which is the main runway noise decimals readings of 100db (A) can be observed outside.

What is the effects of noise on sleep?

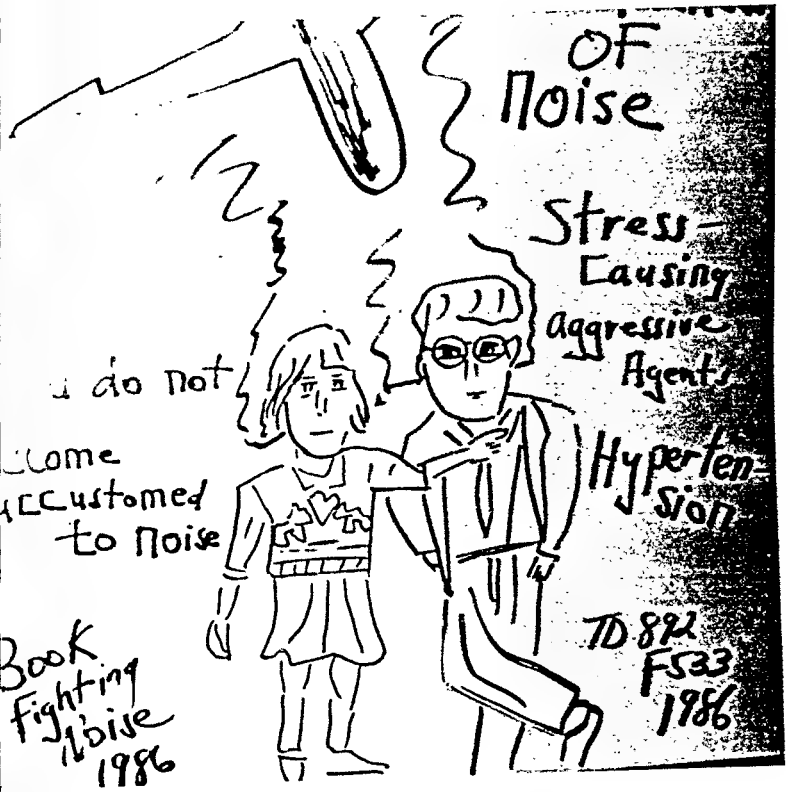
"Research in this field has shown that exposure to noise during sleep causes:

a. difficulty in getting to sleep
b. waking up during the night
c. shortest periods at certain stages of sleep.
d. lower quality sleep though change of level (from deep sleep to light sleep) not perceived by the sleeper.

Research conducted at the European level has also shown that even after several year's exposure, the heart remained highly responsive to noise, thus clearly demonstrating there is no accustomisation to noise."

Research shows that the sound level should be of the order of 30 to 35 dB(A) inside the bedroom.

Page 39 to 41 Fighting Noise
Strengthening Noise Abatement Pdicies
OCDE/OECD 1986



On East 50 St, 1/2 block off the main runway, noise mesurements of 72 to 76 dB(A) have been taken inside a new home.

When asking the City's Aviation Department at what db levels does noise hurt you.
The department gives no response.

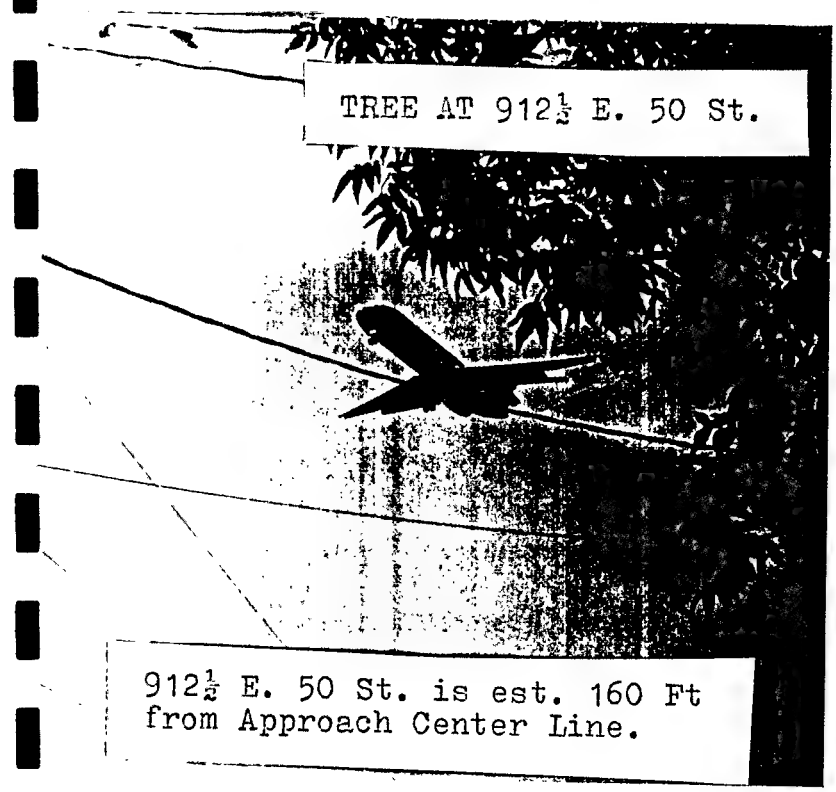
The City of Austin is contributing to a major source of a pollutant.

Noise is a pollutant that causes harm.
The City of Austin has a responsibility to sound proof homes and windows in the high noise contour levels of the city.

Ten percent of the USER LANDING FEES SHOULD BE USED TO IMPROVE THE ENVIRONMENT AROUND ROBERT MUELLER AIRPORT.

Sincerely
Jerome E. Kroll

Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

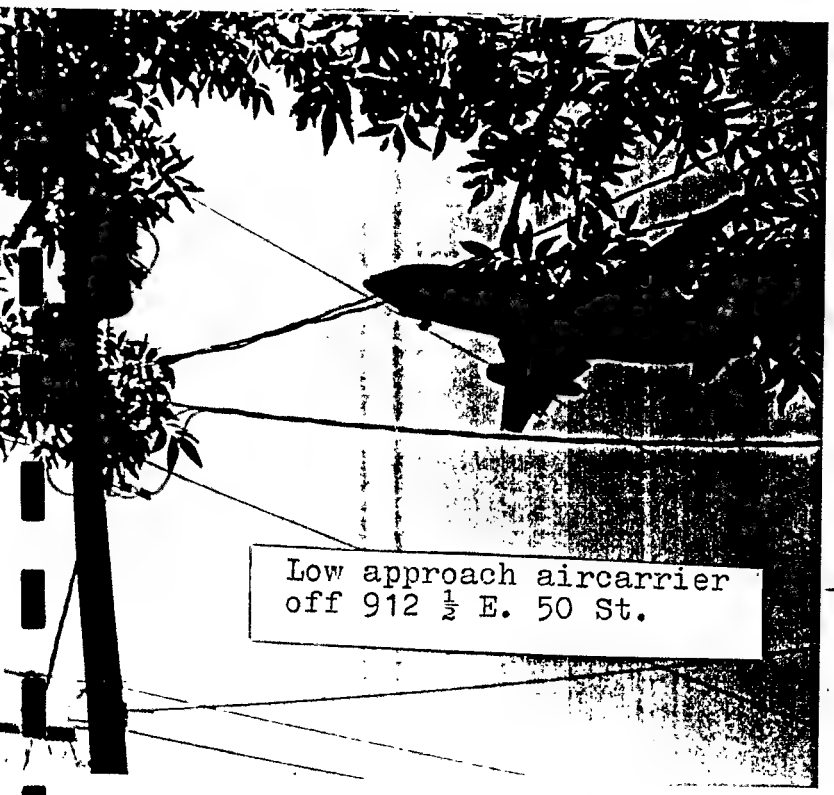


To: Camille Barnett-City Manager
Mayor Cooke-City of Austin
Tim Ward-Director of Aviation
Airport Zoning Board
Mr. John D. Anderson- Airport Plan and Environmental Sector
Mr. Gene Faulkner-Federal Aviation Admin.

Copies:
Ridgetop Neighborhood Assn.
Mr. Garry Wilkison
Benchmark Consulting
C.A.R.E. Mrs Alice Embree
David Helfert
Robert Barnstone-Councilmember
Mr. Kurt M. Sauer, Attorney

8-18-89

The City of Austin certifies in accepting the Federal Aviation Administration grant for $3.3 Million dated 9/14/88 for Robert Municipal Airport (Project 3-48-0013-10 contract DOT FA88SW-8336) that it has COMPATIBLE USAGE OF LAND ADJACENT to or in vicinity of the Airport and all easement rights as outlined in the the Airport Master Plan of December, 1977.

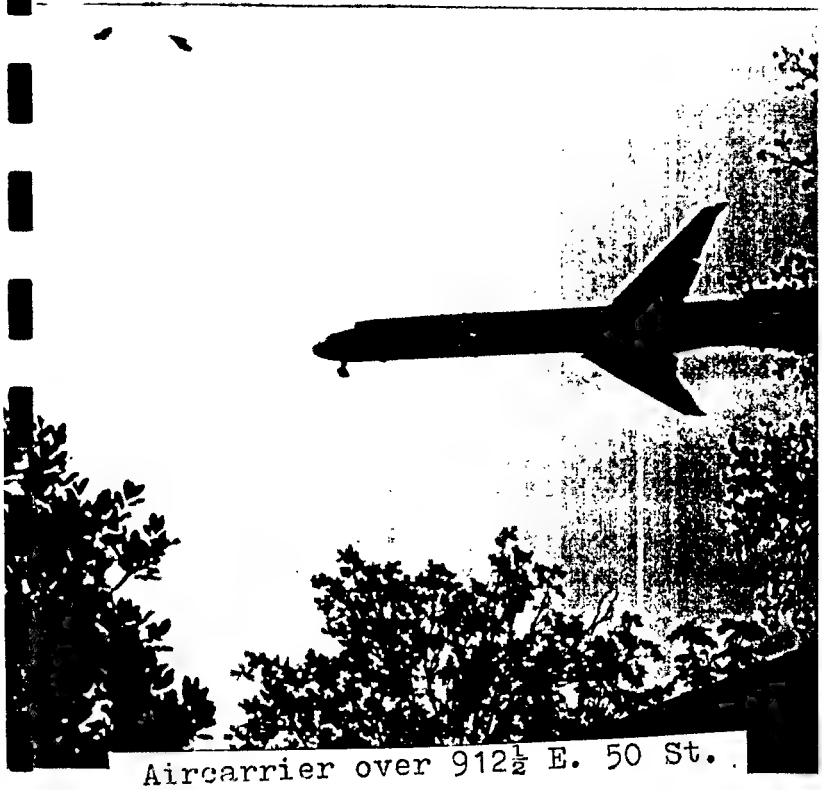


On page 6-6 point 6.1.3 Clear Zones the Master Plan identifies further land acquisitions and obstruction removal in the clear zone 12R area 2 and identifies an area beyond the clear zone where avigation easements would be desirable...

By use of the Department of Transportation and Public Services obstruction removal map of 1987 I have identify 81 properties which the City of Austin identifies as having easement rights outside the clear zone and into the approach zone off runway 12 R.

The city presently has easement rights up to 2,500 ft from runway 12 R. At 926 E. 50 St the City of Austin has an easement right at 35 ft. (height).

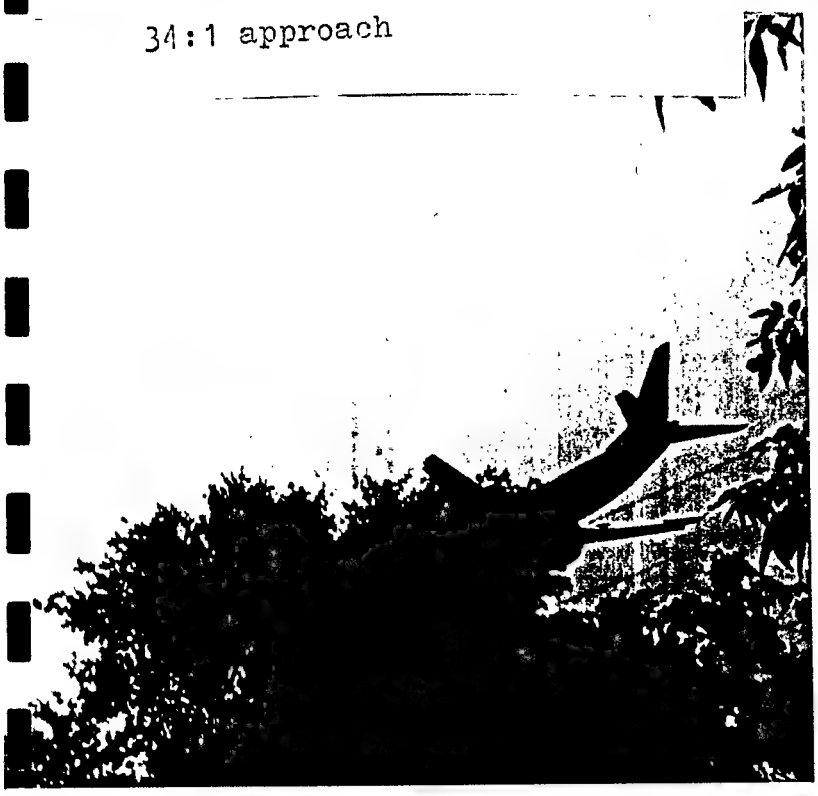
My propety at 912½ E. 50 St.



Aircarrier over 912½ E. 50 St.

Noise level near 100 db (A)

34:1 approach



(see exhibit A) which is 2,690 Ft (est) from 12 R is at elevation 654ft and 160 ft +/- from the center line of the approach zone.

The existing 34:1 approach allows many of the 62,847 (1988) air carriers to fly at an elevation of 690 ft over or within 160 ft from my home or at a minimum 21 ft above my home.

Since I have six trees on my property and I estimate the highest tree to be at around 39 ft +/-.

It is my opinion that if the City of Austin does not negotiate an easement right over my home that the city is placing 1.9 million passengers (Table 3.8 Technical report II) in danger of hitting a tree in my yard.

Request the City of Austin to negotiate an easement right over my home.

It is my opinion, since the City of Austin has already purchased 81 easements outside the clear zone 2 and into the approach zone, the city of Austin in accepting grant 3-48-0013-10 as of 9/14/88 has an obligation to continue to purchase easement rights in the approach zone off the Instrumental rightway 12R.. for the safety and protection of the passengers.

REQUEST A WRITTEN RESPONSE WITHIN 10 WORKING DAYS.

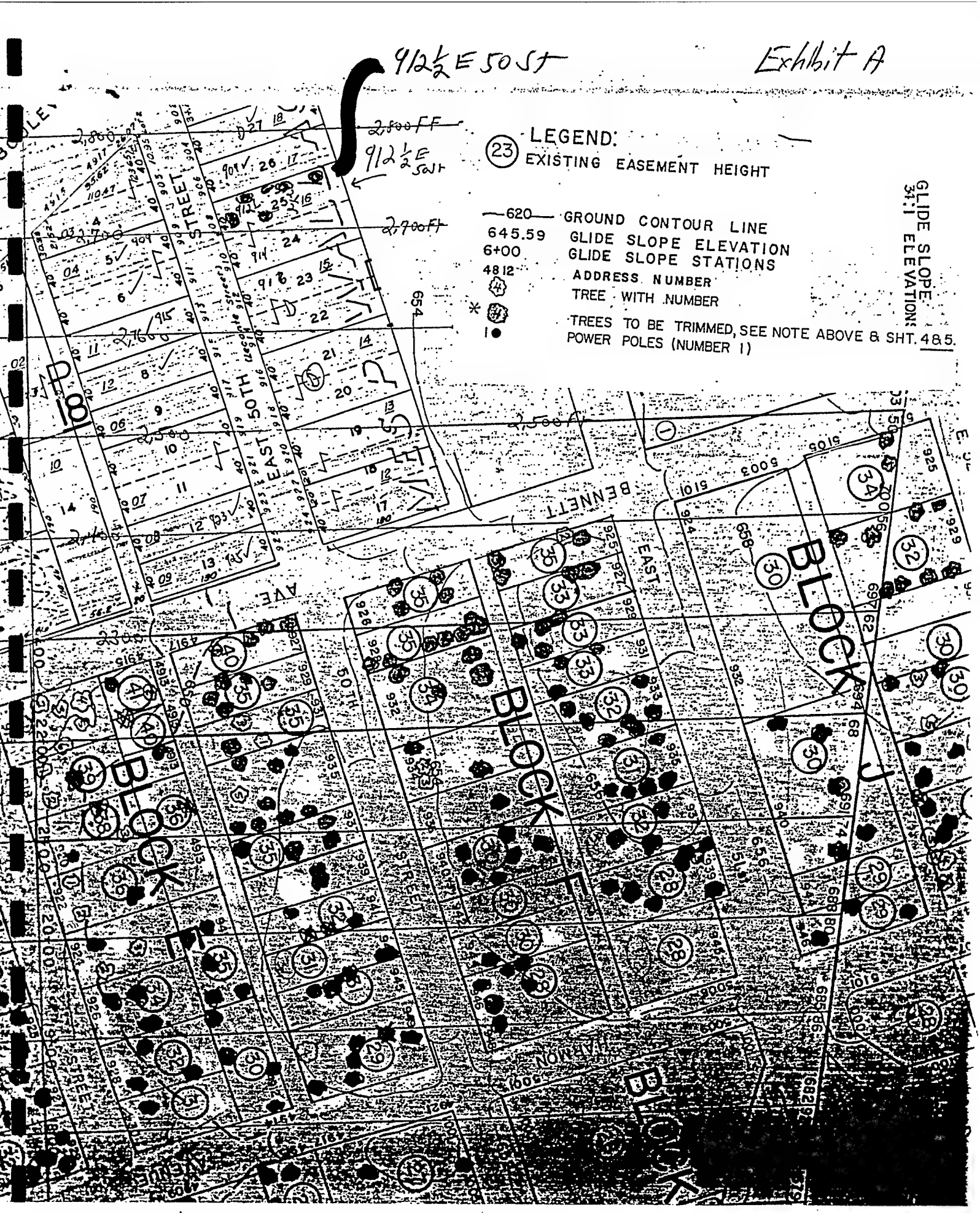
Sincerely

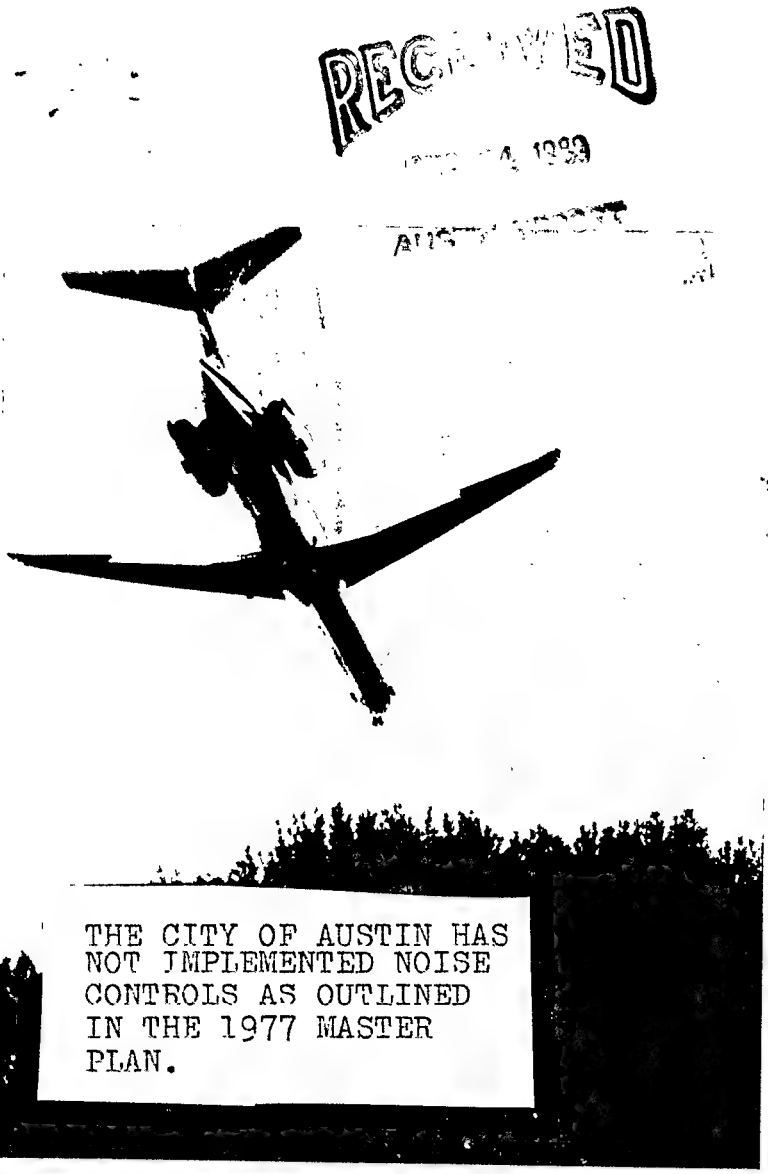
Jerome E. Kroll
912½ E. 50 St.
Austin, Texas 78751

Attachment A -Exhibit

912½ E 50 St

Exhibit A


LEGEND:
(23) EXISTING EASEMENT HEIGHT
620 GROUND CONTOUR LINE
645.59 GLIDE SLOPE ELEVATION
6+00 GLIDE SLOPE STATIONS
4812 ADDRESS NUMBER
TREE WITH NUMBER
TREES TO BE TRIMMED, SEE NOTE ABOVE & SHT. 485.
POWER POLES (NUMBER 1)
GLIDE SLOPE 34:1 ELEVATION:
912½ E 50th
2,500 FF
2,700 FT
654
50TH STREET EAST
BENNETT AVE.
BLOCK
BLOCK
BLOCK



To: Mr. John D. Anderson
Airport Plan and Environmental Sector
Dept of Transportation
Federal Aviation Admin.

Complaint: The City of Austin is in non compliance with the Airport and Airway Improvement Act of 1982 and Aviation Safety and Noise Abatement Act of 1979 etc concerning acceptance of Grant 3-48-0013-10 contract No DOT AA 88 SW-8336.

August 12, 1989

It is my opinion that the City of Austin has not carried out the Airport Master Plan for Robert Mueller Airport completed in December , 1977 in regard to compatible Land Use and Noise Control Plan.

The City of Austin in accepting grant has not proposed (b1, B2) a plan and carried out a plan of control of land use adjacent to the airport such as buying up vacant land or homes in the clear areas and approach zones.

The City of Austin in accepting grant has not enacted building codes such as chapter 35 Sound Transmission code for residences in its own adopted Housing code.

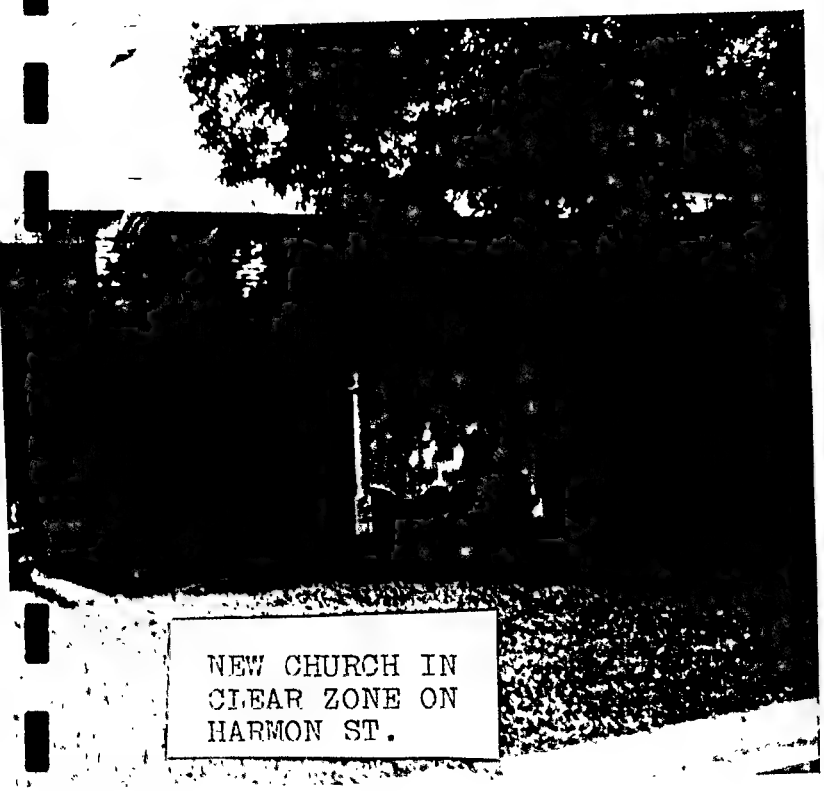
The City of Austin presently has no ordinances which would require appropriate sound insulation in new or old homes (in noise level areas of 65 Ldn or 75 Ldn) surrounding RMMA.

The City of Austin has not implemented appropriate notice of airport noise to the purchases of real estate and prospective resident in areas near the airport.

The City of Austin in accepting grant has not propose a plan to acquire land to insure its use for purposes compatible with airport operations.

The City of Austin in accepting grant has no programs to acquire interest in land, such as easement

Copies: Sierra Club
Manor Area Neighbors Organizations
Mr. Stuart Henry-Environmental Attorney
Mahon B. Garry, Jr. Attorney at Law
Mr. John R. Cutright
Ridgetop Neighborhood Assn.
Schieffe Neighborhood Assn.
C.A.R.E
Camille Barnett-Austin City Manager
Lee Cooke- Mayor
Tim Ward Director of Aviation



NEW CHURCH IN CLEAR ZONE ON HARMON ST.

NEW CLASSROOM AT RIDGETOP WITHOUT SOUNDPROOFING MATERIALS ADDED.

or air rights.

The City of Austin in accepting grant has not a program in which portion of the monies would be used to acquire noise suppressing equipment.

The City of Austin in accepting grant has not prohibit operation by a particular type of class of aircraft.

The City of Austin in accepting grant has not extended or mandate the enforcement of curfews or imposed penalties for violation of the curfew.

It is my opinion that in Part II Section C, item 4 that the City of Austin has not acquired all Avigation Easement in Areas 2,3,4, 5, 6 and 7.

Presently 27,500 people reside in close proximity to Mueller Airport and the City of Austin in accepting grant has not set aside an appropriate amount (20% to 25%) to relieve noise intrusions into neighborhoods surrounding the Airport.

The City in accepting grant and adjusting user fees have not reduced noise exposure by increasing the percentage of Stage 3 aircraft by 25%.

The City of Austin has not demonstrative an ability to help residences measure noise in Ldn readings nor any great knowledge of using building interior sound reduction techniques in the 65 to 75 Ldn contour levels.

I REQUEST FAA TO PERFORM A COMPLIANCE AUDIT TO DETERMINE IF THE CITY OWNS ALL AVIGATION EASEMENTS IN CLEAR ZONES 2,3,4,5, 6 and 7.

I REQUEST FAA TO PERFORM A COMPLIANCE AUDIT TO DETERMINE IF FAA NOISE CONTROL PLAN IS BEING PROPERLY IMPLEMENTED AROUND ROBERT MUELLER AIRPORT WITH THE ACCEPTANCE OF THE NEW GRANT.

It is my opinion that the City of Austin by accepting grant and not allocating money with it to reduce noise is DAMAGING THE ENVIRONMENTAL QUALITY OF LIFE AROUND RMMA.

I contend that the City of Austin by accepting grant is not implementing procedures to reduce

A MAJOR SOURCE OF ENVIRONMENTAL POLLUTION WHICH REPRESENTS A THREAT TO THE SERENITY AND QUALITY OF LIFE IN POPULATION CENTERS.

It is my opinion that the City of Austin by accepting grant and not allocating monies for noise reduction is causing adverse PHYSIOLOGICAL AND PSYCHOLOGICAL EFFECTS on its citizens as well as economic loses. (REF 51.100 HUD)

I contend that the City of Austin will inappropriate use grant money to buy artwork for the COMFORT OF PASSENGERS AND HAS NEGLECTED TO ALLOCATE MONIES FOR IMPLEMENTING NOISE REDUCTION FOR THE COMFORT OF NEIGHBORHOODS SURROUNDING RMMA.

I request FAA TO STATE TO THE CITY OF AUSTIN to use 25% of grant monies for RMMA to improve the environmental conditions around RMMA.

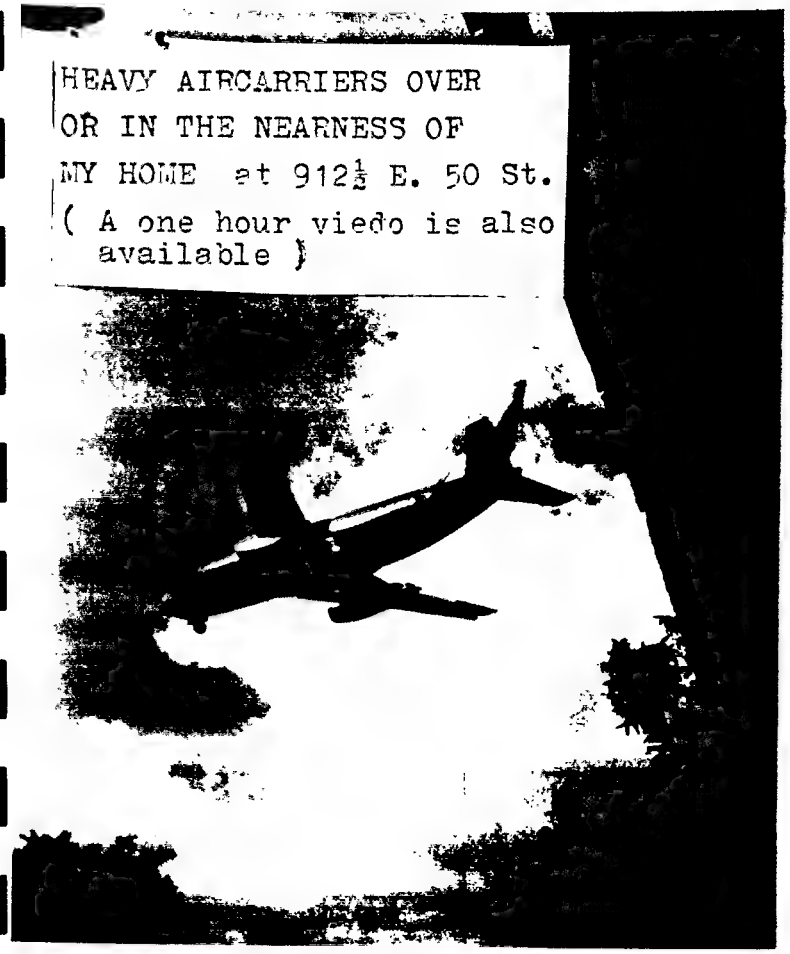
TIME IS OF THE ESSENCE- Request a written respnse within 10 working days.

The writer of this complaint lives 2,800' in front of runway R1 2 at 912 ½ E. 50 St.

Sincerely,

Jerome E. Kroll

Jerome E. Kroll
912 E. 50 St.
Austin, Texas 78751



New classroom being
built at Ridgetop School
without soundproofing
materials.

On takeoff db readings
over 100 db.

912½ E.50 St is here

To: Camille Barnett-Austin
City Manager
Wanda Molane-Administration Assistant
City Manager's office
Charles A. Brothers-Deputy City
Attorney
Donald W. Reaves-Claims
Investigator -Risk Management
Division-Dept of Law
Edward G. O'Rourke-Deputy Director
Of Aviation

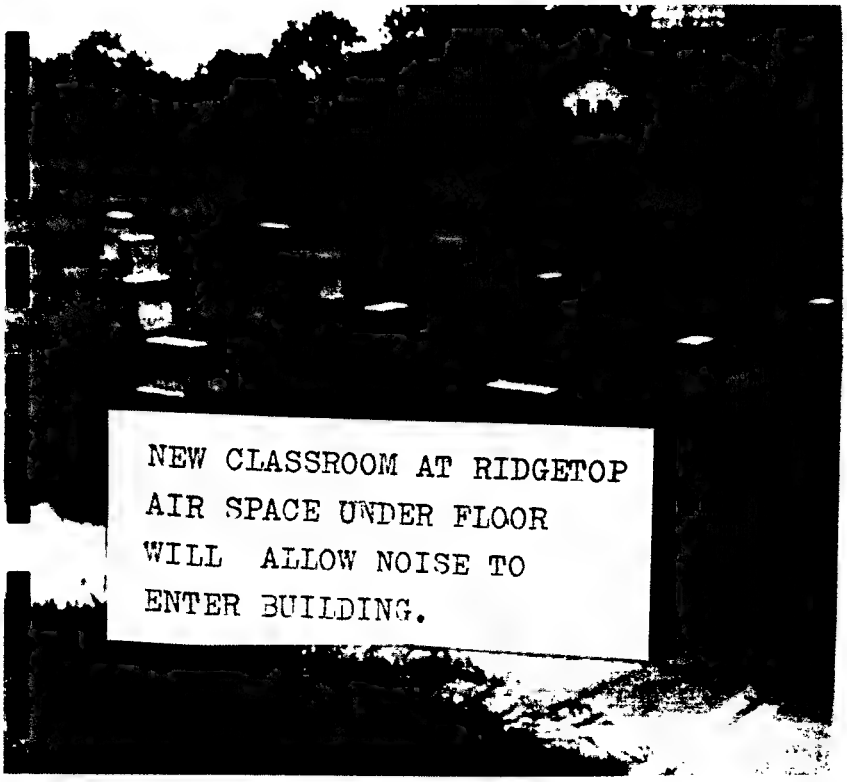
Copies: Airport Zoning Board
Councilmember Charles Urdy
Mayor Pro Tem Sally Shipman
Commissioner Sam Biscoe
Commissioner Bruce Todd
Representative Wilhemina Delco
Ridgetop Neighborhood Assn.
Mr. Gerry Wilkison
Northeast Association-Neil Mc Donald
Dept of Transportation
Federal Aviation Administration.
Mr. Gene Faulkner
Dave Helfert
Benchmark Consulting
Mr. Kurt Sauer-Attorney
Rick McCulley CARE
David Samuelson
William Teten
Atlee M. Cunningham Jr.
Alice Embree-CARE
Schieffe Neighborhood Assn.
Mr. Rudy Seekins
Cherrywood Neighborhood Assn.
Senator Barrientos-Dist 14
Wilshire Wood-Delwood I,
Ms. Diana Castaneda-East
1st Holly Street Neigh Assn.

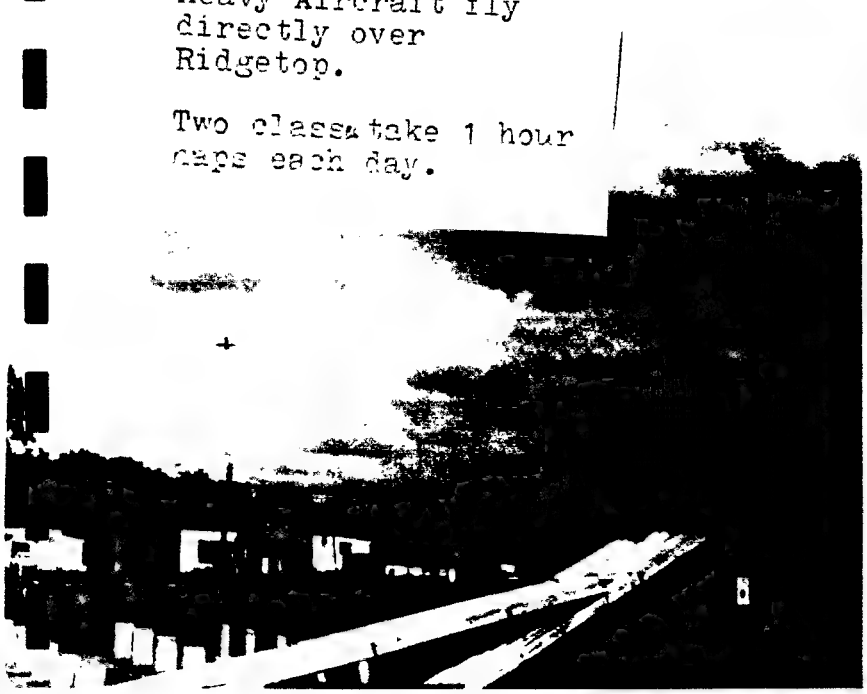
7/30/89 SUBJECT: COMPLAINT:LETTER 7/25/89

On July 25, 1989 I received a letter from the Deputy City Attorney which stated

"YOUR REQUEST IS THEREFORE DENIED" (avigation easement and soundproofing at 912½ E. 50 St.).

I state that this denied has breached Article I Sec 3 General powers in that the City of Austin has failed to carry out all the necessary actions to protect my interest, my welfare, my health, my cofort, my safety, and my convenience <u>against excessive noise levels and the intrusive of airplane vortexes at my place of residence</u>, and therefore is liable to be sued for the fact that the City of Austin has entered into



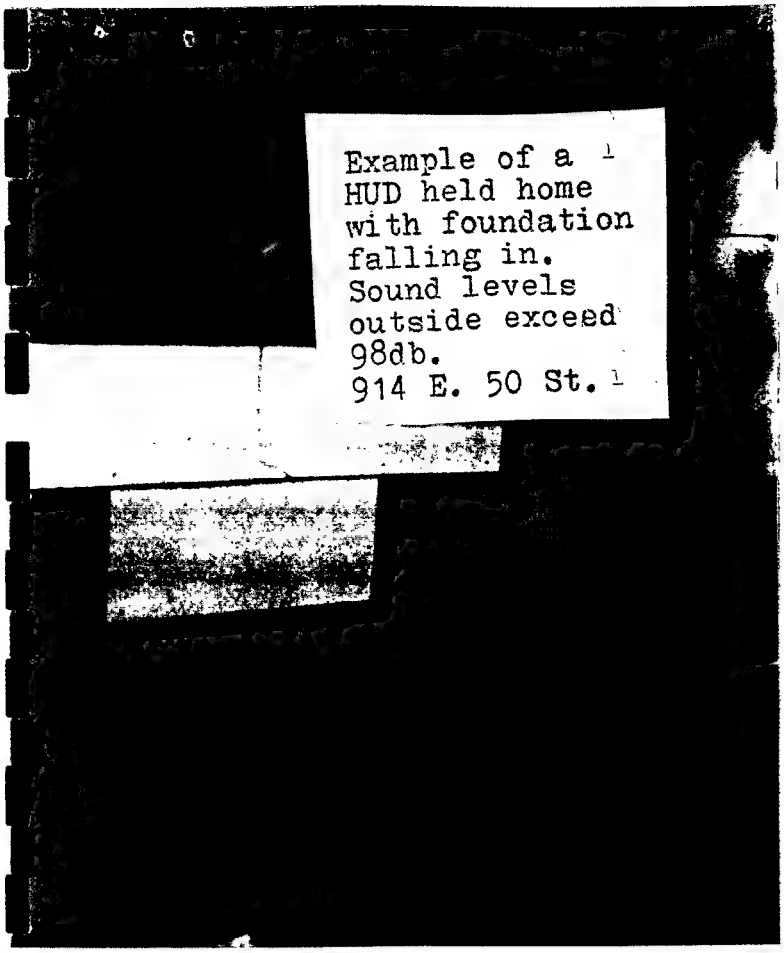


a commercial agreement with a Federal Agency (FAA) for a sum of $4,384,691 on 9/23/88 on project no 3-48-0013-10 and has certified to the compatible usage of land around RMMA according to the Airport Master Plan completed in 1977 and has stated that it owns Avigation easements for areas 2,3,4,5,6 and 7 (Clear areas) around RMMA. The City has furthered certified that no exceptions, encumbrances and adverse interest of every kind and nature is incurred in areas 2,3,4,5,6 and 7 and that the City of Austin when entering this commercial agreement with the U.S. government has given A S S U R A N C E S that it would comply with the Aviation Safety and Noise Abatement Act of 1979 and 14 CFR 150 Airport Noise Compatibility Planning and has given consideration of local interest and needed Public Hearings. Further the City has all the avigation easements to PREVENT THE ESTABLISHMENT OR CREATION OF FUTURE AIRPORT HAZARDS and tne city has certified that it has the proper zoning laws to restrict the use of land adjacent to the airport and that an airport layout plan was submitted which shows all land controlled by the sponsor . Further the city has made ASSURANCES THAT MY CIVIL RIGHTS ere not violated and that I could participate in any activity which would benefit me by the City of Austin accepting this Federal Grant.

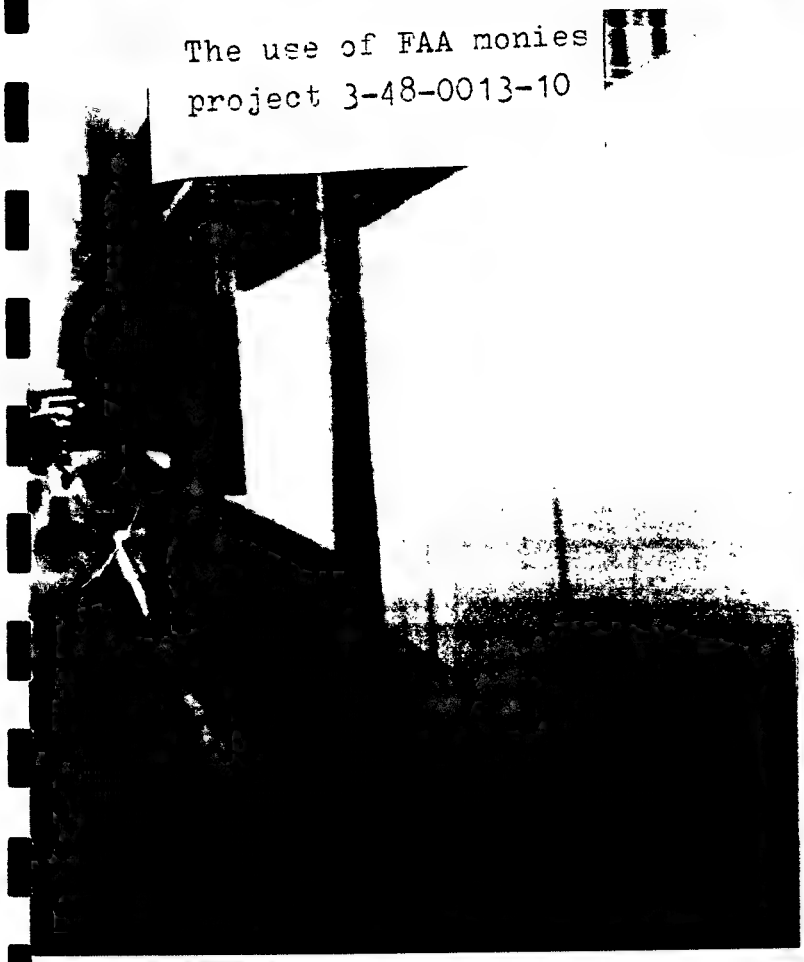
I wish to confirm that my complaint of excessivie noise and the breaking of the curfew of 5/26/89 has not been verified by the City of Austin.

I wish to confirm that my complaint in regard to being expose to more than the PERMISSIBLE NOISE EXPOSURE has not been verified by the City of Austin.

I wish to confirm my complaint of 5-18-89 in regard to vortexes trespassing my property has not



Example of a HUD held home with foundation falling in. Sound levels outside exceed 98db. 914 E. 50 St.



The use of FAA monies project 3-48-0013-10

verified by the City of Austin.

I HAVE NOT RECEIVED AN ADEQUATE REPLY BACK TO COMPLAINTS THAT EFFECT MY interest, welfare, health, comfort and safety and convenience.

The City of Austin has stated on 7/25/89 that the document of 7/18/89"...DOES INDICATE ELEVATED NOISE LEVELS."

I am of the opinion that this statement indicates that the City of Austin has been GROSSLY NEGLECTFUL in obtaining and adopting, and carrying out a noise level standard which protects me and my property from excessive noise and other damages.

on 3/21/89 (attachment i:Compatible land use) the City of Austin stated to FAA in regard to Land Acquisition that

"The City will develop guidelines ...that are consistent with HUD AND FAA standards for compatible uses."

Under 51.101 HUD standards state:

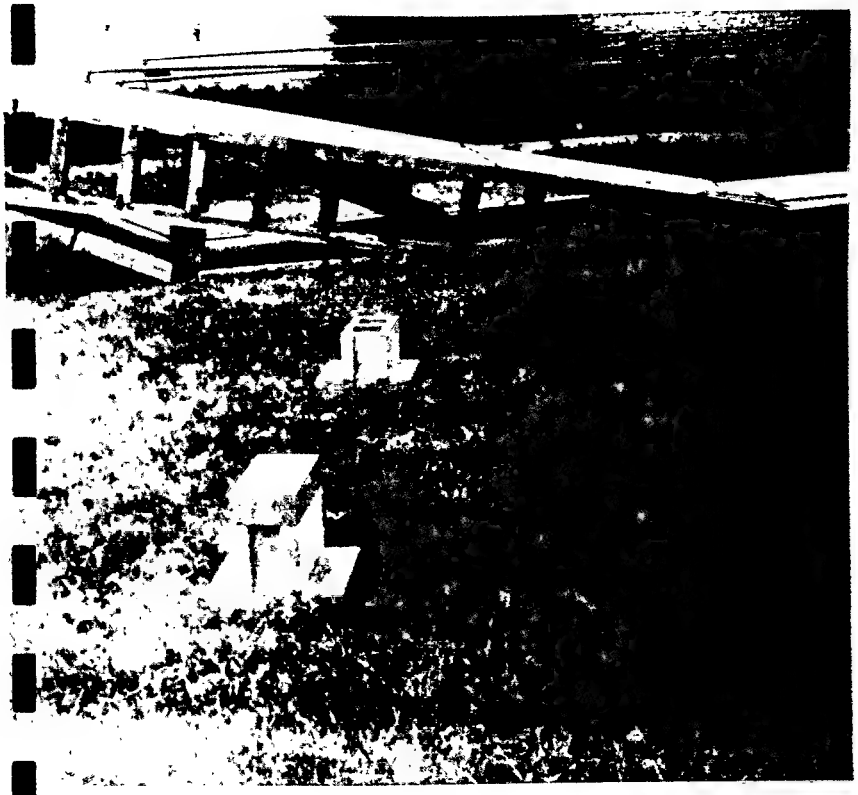
"It is a HUD goal that exterior noise levels do not exceed a day-night average sound level of 55 decibels."

"It is a HUD goal that the interior audit environment shall not exceed a day-night average sound level of 45 decibels."

On 7/18/89 Benchmark Consulting affirmed readings of 98db outside my home, and 78db inside my home.

These readings indicate a noise level far exceeding exceptable standards and which do not allow me to enjoy my property and personal rights to their fullest extent.

In the last several months certain actions were taken by the state of Texas and Travis



County which verifies that the City of Austin has not carried out the mandates of its charter or of agreements with FAA concerning RMMA.

SB1707 bill analysis states that the legislators of the State of Texas has found the need to enact legislation that requires "... the City of Austin to comply with the Federal Noise Abatement Act or use its own funds to soundproof all public buildings within a certain noise contour level area..."

On 6/20/89 The Joint Airport Zoning Board of Travis County and the City of Austin under Article 5.501 decided to reject part 4 of ordinance 880030G and appoint its own Airport Zoning Commission to ensure that certain mandates were carried out.

The letters from the City of Austin of 7/24/, 7/25, 7/26 indicate

1. an inappropriate response to the letter of 7/19/89.

2. an insubordinate response to complete an investigation.

3. an unprofessional manner of making a decision without quoting legal ordinances or laws.

4. a decision made without adequate review of commercial law or requesting the opinion of other experts in Engineering and Compliance Internal Auditing.

I THEREFORE ASK THAT THE CITY OF AUSTIN submit a detail written analyis with expert written testimony and legal documentation how it has arrived at its conclusion to deny my request as a homeowner and citizen of Austin.

FURTHERMORE I request the city to show that the denied will not further damage my interest , my welfare, my health, my comfort,

A WRITTEN RESPONSE IS REQUESTED WITHIN 10 WORKING DAYS

my safety and my convenience as I am entitled as outlined under Article 1 Sec 3 of the City's Charter.

Furthermore I call on the City of Austin to detail why in Technical Report1-(Revised 7/6/89) of the new airport master plan it states that the replacement airport for Robert Mueller Airport is needed to

"ELIMINATE ADVERSE NOISE IMPACTS ON COMMUNITIES ADJACENT TO ROBERT MUELLER AIRPORT."

Please identify and explain how the adverse noise impact is not connected to my property which is 2,800 ft in front of the main runway 12 R and how the city's conclusion would support the city's denied of my request.

Request the city to state the db readings it has taken in front of my home to support denied of my request.

I state further to FAA that the city of Austin has not taking into consideration my supported evidence that the noise levels exceed comfortable and safety levels when grant 3-48-0013-10 was accepted nor has the city the ability to carry out given ASSURANCES.

JEROME E. KROLL
912½ E. 50 St.
Austin, Texas 78751

ATTACHMENTS

Signature of Affiant

_____

SWORN TO AND SUBSCRIBED BEFORE ME BY

_____

this _____of July, 1989 to certify which Notary Public in and for the State of Texas.

My commission expires _____

_____

Notary Public

City of Austin

Founded by Congress, Republic of Texas, 1839

...RNEY L. KNIGHT
...ITY ATTORNEY

...ONES
...L. GRANGER
HARLES A. BROTHERS
OHN T. GOODING, II
...OLYN HILL WEBB
...A J. BOCKELMAN
...G. HENLY
D. HOOPER
ELLIOTT MITCHELL
...Y J. LANDERS
...ALDERON
...W F. MARTIN
...COTTON
...THIA J. HILL
...K. LEFLER
...ADOR
...P. ROSE
...JOHNSON
...DA LEE WEAVER
...LEE LOSS
...TRESNICKY
...HAHN
...LOYD
...DELMAS
...L. NARANJO
...SADLER
...WHITE
...ESKEW
...HERRERA
...BOWLING
...BB
...ABIE HOLMES
...E SPENCER
...A M. FITZPATRICK
...SMYTH
...EL ENGLISH
...ELE JOHNSON
...MATCHUS
...NORTON

July 25, 1989

Mr. Jerome E. Kroll
912 1/2 East 50th Street
Austin, Texas 78751

RE: July 19, 1989 Complaint

Dear Mr. Kroll:

The letter from your consultant of July 19, 1989 was received. In the letter, Mr. Goebel states that you are requesting the City to purchase an avigation easement on your property and to provide sound proofing for your home. The consulting report purports to document some noise level sustained at your residence on July 18, 1989. While the document does indicate elevated noise levels, noise levels alone do not indicate that the City must provide the action requested by you. Your request is therefore denied.

Sincerely,

Charles A. Brothers
Deputy City Attorney

CAB:rjn

ATTACHMENT "A"

AIR CARRIER NOISE LOG
ROBERT MUELLER MUNICIPAL AIRPORT

Name: Jerome E Kroll

Address: 912½ E. 50st Owner/ Renter

City: Austin, State Texas Zip Code 78751

Telephone Number:

Date 7/18/89

TIME	DATE	DB READING	INSIDE	OUTSIDE	FIGHT NO.	AIRLINE	
11:53	7/18/89	76 dB	X				
11:54	7/18/89	78 dB	X				
12:20	7/18/89	76 dB	X				
12:21	7/18/89	76 dB	X				
12:32	7/18/89	76 dB	X	X			
12:48	7/18/89	94 dB		X			
12:58	7/18/89	95 dB		X			
1:03	7/18/89	98 dB		X			

Comments: Health Reaction (How did the noise interfer with normal life)

Signature

Signature of Affiant Thomas A Kroll

Sworn to and subsribed before me by Thomas A. Kroll

this 20th of July, 1989 to certify which Notary Public in

and for the State of Texas. My commission expires 2-2090

Yvonne H Kalbe

Notary Public

AIR CARRIER NOISE LOG
ROBERT MUELLER MUNICIPAL AIRPORT

Name: Ridgetop School

Address: 5005 Caswell St. Owner/ Renter

City: Austin, State Texas Zip Code

Telephone Number:

Date 7/29/89

Noise Meter — Weighted Average — Slow response

TIME	DATE	DB READING	INSIDE	OUTSIDE	FIGHT NO.	AIRLINE	
9:35 AM	7/29/89	80 db	X	setting 80		Aircarrier	
9:55 AM	7/29/89	76 dB	X	Setting 70		Air Carrier	Picture 2
10:06	7/29/89	75 dB	X	Setting 70		Air Carrier	Picture 3
10:14 AM	7/29/89	80 dB	X	Setting 80		Air Carrier	Picture 4
10:16 AM	7/29/89	68 dB	X	Setting 70		Small craft	Picture 5
10:33 AM	7/29/89	78 dB	X	Setting 70		Aircarrier	Picture 5
10:35 AM	7/29/89	78 dB	X	setting 80		Aircarrier	Picture 6
10:59 AM	7/29/89	75 dB	X	setting 80		Aircarrier	Picture 7
11:07 AM	7/29/89	72 dB	X	setting 80		Aircarrier	Picture 8

Comments: Health Reaction (How did the noise interfer with normal life)

Readings taken inside School

Air Conditioning was running

Windows were closed

Permission received From Principal (Mrs Ramey) who was on the grounds to do readings.

Children take 1 hr. nap (sleep) during the day - (2 grades)

Signature

Signature of Affiant

Sworn to and subsribed before me by

this _____ of _____, 1989 to certify which Notary Public in and for the State of Texas. My commission expires _____

Notary Public

airfields. At Mueller Airport, aircraft departing to the southeast on Runway 13R make turns to the east or south before crossing the river. Northern departures from Bergstrom AFB turn before the river to avoid Mueller Airport traffic. In addition, nonstandard patterns are also flown at Bergstrom AFB to avoid developed areas as much as possible.

FAA (Austin Approach Control) provides air traffic service primarily to Mueller Airport, Bergstrom AFB, San Marcos, Austin Executive Airpark, Georgetown, Lakeway, Lago Vista, Bar K, and Bird's Nest Airports. The Austin Approach Control operates either in a "north" or "south" flow. Due to the prevailing winds in the Austin area, the north flow concept is utilized approximately 30% of the year and the south flow concept is utilized approximately 70% of the year. When the Austin area is operating in a south flow, the majority of air traffic inbound to Mueller Airport and Bergstrom AFB proceeds through the airspace north of Austin.

During IFR weather Austin Approach Control must stagger arrivals to Mueller Airport and Bergstrom AFB in order to provide protection to aircraft in the event of a missed approach at Mueller Airport. The primary airspace conflicts occur in IFR conditions during the south flow. This procedure results in capacity limitations and arrival delays at both airports.

An additional procedure which results in delays during IFR conditions is the spacing of arriving aircraft to Bergstrom AFB approximately 10 miles apart to allow aircraft to depart from Mueller Airport. When the 10 mile separation cannot be achieved, departures from Mueller Airport must be delayed.

The proximity of Mueller Airport and Bergstrom AFB does not allow for a resolution of the airspace conflicts; otherwise, increased capacity could occur. The only Mueller Airport alternative (D-1) that would eliminate most but not all airspace conflicts with Bergstrom AFB would also be the most environmentally disruptive, whereas the Manor alternative would eliminate all airspace conflicts with Bergstrom AFB (due to distance from Bergstrom and compatible runway configurations) and would be the least environmentally disruptive.

(c) Stimulate additional industry and business -- The proposed alternative is expected to stimulate additional industry and business for the Manor area, as well as to stimulate economic growth in the Mueller Airport area. Other positive benefits include increased employment and income generation. These benefits will be addressed in-depth in paragraph E, item E3, social impacts and item E4, induced socioeconomic effects.

(d) Provide for development of a safe, efficient, and environmentally compatible airport -- While both positive and negative impacts may occur as a result of this proposed project, in

comparison, the No Action alternative and all Mueller Airport expansion alternatives would result in many more substantial negative impacts (particularly with regard to noise, displacements, and socioeconomic impacts) than the proposed action (see Attachment A-26, Summary/Comparison Matrix). All the alternatives at Mueller, including C-4C and D-1, would require substantial reconstruction of the airport facilities at Mueller Airport. As illustrated in Attachment A-26, Summary/Comparison Matrix, the residential and business displacements that would be required for Mueller Airport alternatives C-4C and D-1 are substantial. The cost and environmental impacts associated with such development resulted in the elimination of these alternatives.

Development of the Manor site will not only provide an airport that is environmental compatible (see paragraph E, environmental consequences, for details) with the neighboring community, it will also serve to reduce environmental effects experienced by neighbors of the existing Mueller Airport. For example, one benefit of the proposed project would be that approximately 27,500 people who currently reside in close proximity to Mueller Airport would be relieved of noise intrusions. Careful planning and strict adherence to mitigation measures conditioned in this FONSI will minimize the negative impacts and enhance the positive aspects of the proposed project to the extent that the potential environmental effects due to the proposed project will have insignificant impacts or impacts that can be satisfactorily mitigated as per FAA Order 5050.4A.

Thus there is a documented need for the proposed project for environmental and aeronautical reasons.

D. AFFECTED ENVIRONMENT AND AREA CHARACTERISTICS.

1. Location: The proposed airport site is located just northeast of Manor in Travis County, Texas (see EA, Figure II-1). Population centers near the site include: the city center of Austin, approximately 13 miles to the southwest; Manor 1 1/2 miles to the southwest (1986 estimated population 1,184); Pflugerville 8 miles to the northwest (1986 est. population 2,989); Elgin 15 miles to the east (1986 est. population 5,565); and New Katy (1986 est. population 220) directly south of the proposed airport site. Other communities in the affected area include Coupland, New Sweden, and Richland.

The airport site is located directly north of US Highway 290 and it is approximately 7 miles east of Interstate Highway 35. Access to the proposed airport site is excellent.

2. Population and Land Uses: The proposed airport site is located in a predominantly rural area, generally sparsely populated except in the vicinity of the nearby towns mentioned above. Existing residential areas in Manor and New Katy each comprise approximately 314 and 66 dwelling units, respectively. The

The INM has a database of aircraft types which includes jet, turboprop, and piston-powered aircraft. The representative aircraft types (defined in the INM) used in this analysis were: DC980/737-300; Boeing 757/767; Twin-engine turboprop, and the Composite General Aviation Jet (COMJET, based on a theoretical composite of several General Aviation aircraft).

According to Federal Aviation Regulations contained in 14 CFR Part 36, older noisier airplanes (Stages 1 and 2) must be modified or replaced with new planes (Stage 3) that meet or exceed 14 CFR Part 36 standards so that the cumulative noise exposure around major airports will be reduced. Stage 1, 2, or 3 refers to noise standards for turbojet and transport category airplanes as defined in 14 CFR Part 36. Stage 1 aircraft are those which do not meet any noise standards; Stage 2 aircraft meet the initial standards first issued in 1969; and Stage 3 aircraft meet the more stringent standards issued in 1977 and contain the best noise control technology currently available. All new commercial aircraft manufactured meet Stage 3 requirements. Based on 1984 historical data, approximately 80% of the US air carrier fleet currently consists of Stage 2 or exempted Stage 1 airplanes. According to the April 11, 1986, FAA Report to Congress, Alternatives Available to Accelerate Commercial Aircraft Fleet Modernization, current projections indicate that by 2005, Stage 2 airplanes will constitute approximately 11% of the US fleet; however, they will probably not be used in the higher frequency airline systems. Thus the Stage 3 aircraft mentioned above were used to predict the noise level contours for year 2006 airport operations because by the year 2006, most commercial aircraft will meet Stage 3 noise limitations and those that do not will probably not be used at the new airport with any regularity.

Table IV-3 of the EA contains the aircraft operational activity data used to develop the contours. Noise contours were developed based on normal air traffic flows for the Austin region, which flow south about 75% of the time and north the other 25%. The typical noise contours are shown in Figures IV-2 and IV-6 of the EA. As evident in Figure IV-2, the 75 Ldn contour for the year 2006 is contained entirely within airport property; the 70 Ldn contour extends somewhat beyond the boundaries of the airport; and the 65 Ldn contour extends some distance from the airport boundary.

In order to account for those periods during the winter when Texas weather dictates a greater percentage of north flow traffic, noise contours were also developed with 75% of the traffic flowing north and 25% flowing south. The noise contours in Attachment A-27, Airport Overlay Zones, North Flow and South Flow Contours, reflect noise exposure under both normal south flow air traffic patterns and less frequent north flow air traffic patterns. In planning the boundaries of the airport land use compatibility zones (discussed in E1(b) below), these two prospective airport traffic flow scenarios

were combined to extend the airport land use compatibility zone north to encompass the north flow contours as well as the typical south flow conditions.

(b) Proposed Mitigation -- Guidelines using Ldn levels have been developed by FAA and the US Department of Housing and Urban Development (HUD) to determine environmental sound levels appropriate for various land uses (see EA, pages IV-3 through IV-6). For example, according to FAA Land Use Compatibility Guidelines [14 CFR Part 150], noise levels above 65 Ldn are normally considered incompatible for residential areas unless measures to achieve noise level reduction are taken (see EA, Table IV-2). Similarly, according to HUD Site Acceptability Standards, areas experiencing 65 Ldn or less are considered "acceptable" for residential development; residential uses in areas above 65 Ldn are considered "normally unacceptable" and would require special building techniques and approvals for HUD participation in residential-use projects; and residential uses in areas above 75 Ldn are considered "unacceptable" and would require additional special attenuation measures and approvals for HUD participation.

Taking into consideration the HUD and FAA guidelines, the city of Austin has proposed in its "Land Use Compatibility Assurance" (Part IV, Attachment L-1) that it intends to implement an aggressive zoning control and acquisition plan as mitigation to ensure that incompatible land uses do not remain within the 65 Ldn (or greater) contours. Texas Revised Civil Statutes 46e-1 through 15 of the Texas Airport Zoning Act, provide the authority for political subdivisions of the state to regulate the use of land to prevent airport hazards and land uses incompatible with an airport. This Act grants the city of Austin the authority to implement land use zoning within the 65 Ldn noise contour or within certain geographical boundaries of the airport (airport overlay (AO) zones) and to adopt height hazard zoning.

Airport compatible land use zones, called AO zones (see Attachment A-27, Airport Overlay Zones, North Flow and South Flow Contours) have been developed based on the Texas Airport Zoning Act. The AO zones have been defined based on the environmental sound levels which will be generated by aircraft operations at the airport. Figure IV-4 in the EA shows the boundaries of the AO zones in relationship to the airport and the surrounding region. The AO zones were defined in TC&B's Airport Alternative Development Plan as:

AO-1: An area of approximately 22,000 acres within the controlled area but outside the AO-2 area. No land use restrictions are necessary in this zone, since airport-generated noise levels in this zone would be less than 65 Ldn.

AO-2 — An area of approximately 5,000 acres within the controlled area, located between the 65 and 70 Ldn noise contour lines. Noise-sensitive land uses should be allowed only with moderate additional building interior sound reduction techniques. There are no 75 Ldn (or greater) affected areas exclusively within the AO-2 zone, that is, not including the AO-3 zone.

AO-3 — An area of approximately 2,000 acres within the controlled area, located between the 70 Ldn noise contour lines and the airport boundary. Noise-sensitive land uses should be allowed only with special building interior sound reduction techniques.

Airport Boundary — An area of approximately 3,460 acres within the controlled area, containing the 75 Ldn and above noise contour lines. No noise-sensitive land uses should be allowed within the airport boundary.

(c) FAA Assessment of Magnitude of Impacts -- After an assessment of the projected impact of noise on the community, as indicated by the noise contours, the flight tracks, and the mitigation measures proposed by the city to ensure compatible land uses in the immediate vicinity of the airport, the FAA determined that there would be no significant unmitigated noise impacts anticipated at the proposed New Austin Airport. No further noise analysis is required since noise impacts are not considered significant.

Positive benefits relative to noise will occur due to the closing of Mueller Airport as a result of implementation of the Manor alternative. Although some noise intrusions may occur as a result of this proposed project, in comparison, the No Action alternative and all Mueller Airport expansion alternatives would result in many more substantial negative impacts with regard to noise impacts than the proposed action (see Attachment A-25, Environmental Impacts Matrix -- Mueller & Manor, and Attachment A-28, Noise Contour Comparisons). If the Manor alternative were not implemented, one of the following would result from the remaining alternatives: (a) the No Action alternative would provide no relief from noise intrusions for approximately 27,500 persons who currently live within the 65 Ldn (and greater) noise contour; or (b) the Mueller expansion alternatives C-4C and D-1, would provide no relief from noise intrusions for approximately 11,000 and 5,000 residents, respectively, who would continue to remain within the 65 Ldn noise contour even after project completion.

Negative noise impacts due to the proposed project will be minimized by strict adherence to the mitigation measures specified

in the following conditions. Therefore, no further analysis is required by FAA Order 5050.4A.

Conditions relative to Noise Considerations:

(a) The city of Austin will comply with its "Land Use Compatibility Assurance" (Part IV, Attachment L-1) to implement an aggressive zoning control and acquisition plan to ensure that, wherever possible, incompatible land uses that currently exist at the site will not remain within the 65 Ldn (or greater) contours, encompassing the AO-2 and AO-3 zones and airport boundary.

(b) The city of Austin will comply with its "Land Use Compatibility Assurance" to ensure that all land uses in the 75 Ldn (and greater) zone will remain within airport property boundaries.

(c) The city of Austin will comply with its "Land Use Compatibility Assurance" to ensure that, wherever possible, future land uses within 65 to 75 Ldn zones (encompassing both zones AO-2 and AO-3) will be compatible with airport uses. More specifically, within the AO-2 and AO-3 zones new noise-sensitive land uses should be introduced, if at all, only provided special building interior sound reduction techniques are used.

(d) The city of Austin will comply with its "Land Use Compatibility Assurance" to ensure that, while land uses in the less than 65 Ldn zone (which is the AO-1 zone) that will be within the area zoned by the city of Austin will not require land use restrictions because they will be below land use compatibility guidelines recommended by FAA and HUD, efforts will be made, within reason, to maintain compatibility of land uses with the airport within the AO-1 zone.

(e) The city of Austin, through its land use zoning authority, will implement height hazard zoning based on Federal Aviation Regulations Part 77 imaginary surfaces for the ultimate development of the airport (see Attachment A-29, Height Hazard Zoning Map) Plans for any structures or obstacles which would potentially penetrate these surfaces will be subject to review and approval under the height zoning ordinances.

2. Compatible Land Use: The city of Austin has indicated to the FAA that it is committed to the development of compatible land uses for this proposed airport. Land use compatibility assurances in accordance with Section 511(a)(5) of the Airport and Airway Improvement Act of 1982 were provided by the city of Austin (reference Part IV, Attachment L-1). The airport property will be zoned by the city of Austin. The city of Austin has recently established a Joint Austin-Travis County Airport Zoning Board which will study the imposition of airport height control area zoning regulations and airport compatible land use regulations. Copies of

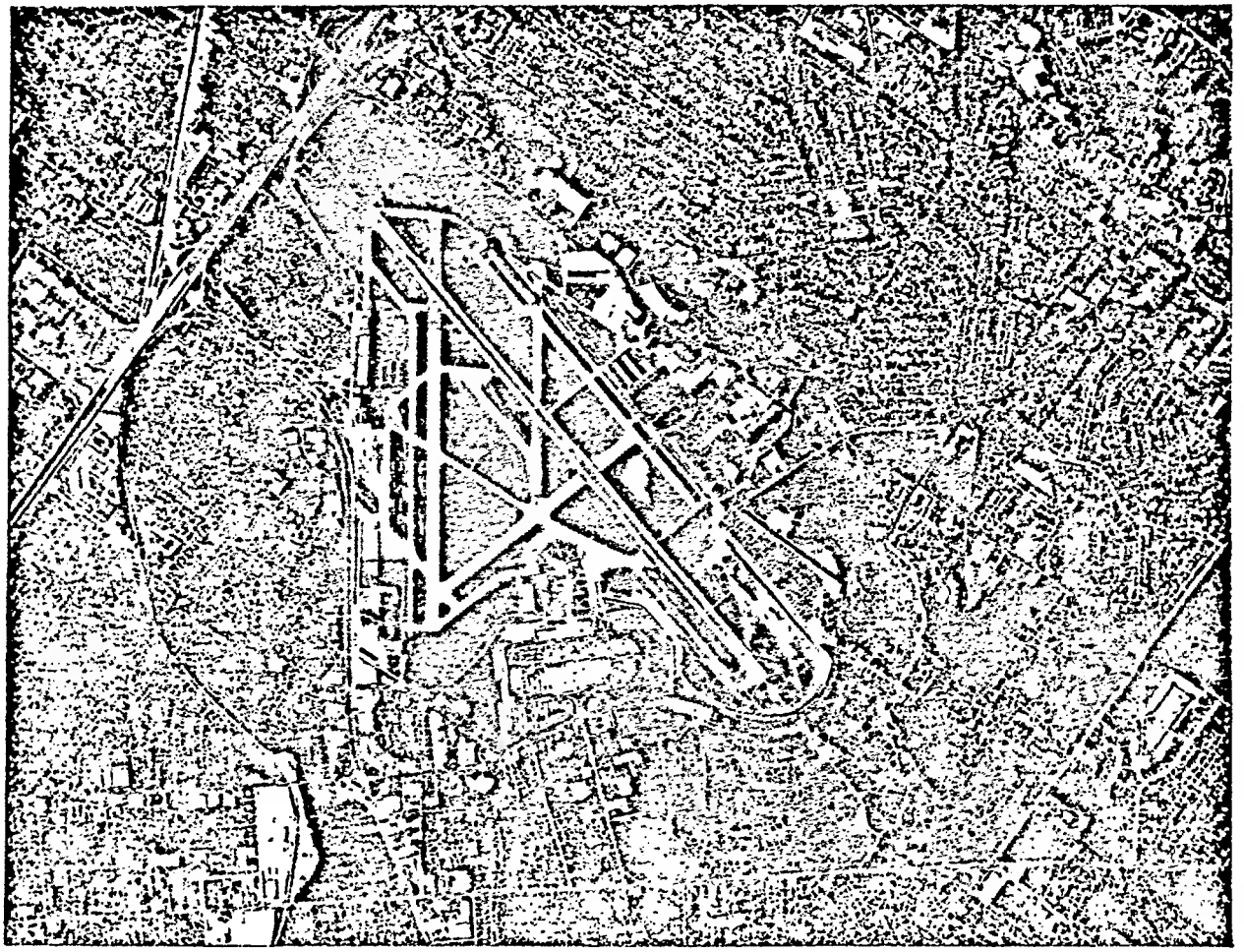
land use compatibility plans and regulations will be provided to the FAA by the city of Austin as soon as their details are finalized.

As stated in item E1, Noise, the city's land use compatibility assurance provided to FAA ensures that all land uses in the 75 Ldn zone (airport property) will remain within airport property boundaries; land uses within 65 to 75 Ldn zones (AO-2 and AO-3), wherever possible, will be compatible with airport uses; and land uses less than 65 Ldn (AO-1), while they will be within the area controlled by the city of Austin, will not require land use restrictions because they will be below land use compatibility guidelines recommended by FAA and HUD. No incompatible residential or other incompatible land use which currently exists within the proposed 65 Ldn contour (or greater) is planned to remain within the contour.

Land acquisition (described further in paragraph E, item E3) will minimize the existing and future incompatible land uses. The proposed land acquisition program will include fee acquisition of approximately 3,460 acres for airport facilities (terminal area, clear zones, runways, taxiways, and general aviation facilities). In addition, the city of Austin will offer to purchase all residential and noncompatible improvements located within the noise-affected areas designated AO-2 and AO-3 (which encompass 65 Ldn and above contours). Offers to purchase residential property and improvements within New Katy will be made due to close proximity to the noise-affected area. Should a property owner within the noise-affected area not wish to sell a residential or noncompatible improvement, an avigation easement will be purchased by the city of Austin. These areas would then be zoned for airport-compatible use. Land owners would retain the option of farming, operating a business, developing, or perhaps selling their property while receiving compensation value for displacement of improvements.

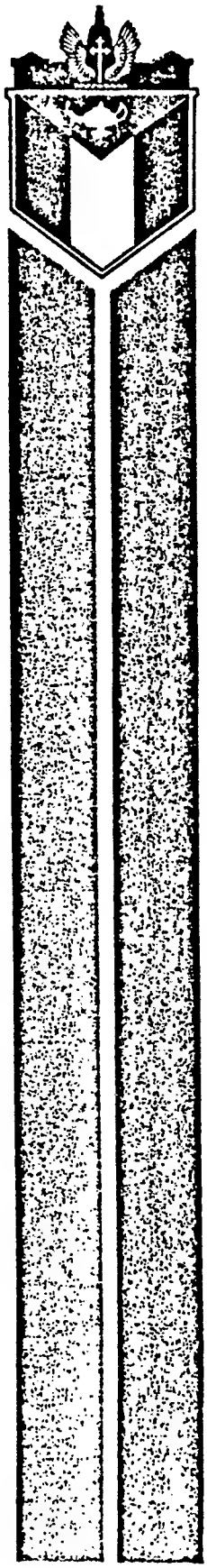
Positive benefits relative to land use compatibility will occur due to the closing of Mueller Airport as a result of implementation of the Manor alternative. Although some land use incompatibilities may occur as a result of this proposed project, in comparison, the No Action alternative and all Mueller Airport expansion alternatives would result in many more substantial negative impacts with regard to land use incompatibilities than the proposed action (see Attachment A-25, Environmental Impacts Matrix -- Mueller & Manor). If the Manor alternative were not implemented, one of the following incompatible land use scenarios would result from the remaining alternatives: (a) the No Action alternative would not improve land use compatibility because it would provide no relief from noise intrusions for approximately 27,500 persons who currently live within the 65 Ldn (and greater) noise contour; or (b) the Mueller expansion alternatives C-4C and D-1, would not improve land use compatibility because it would provide no relief from noise intrusions for approximately 11,000 and 5,000 residents,

ROBERT MUELLER MUNICIPAL AIRPORT



Base Map: TCHPT (1986), Travis Co. Supplemental Sheets E, J, L and M (Supplemental Sheets may not reflect all recent improvements or RMMA)
LEGEND
65 — ROBERT MUELLER MUNICIPAL AIRPORT
70 — 1994 BERGSTROM AIR FORCE BASE
AUSTIN
65
70
75
2 MILES
THE CENNIP AUSTIN TEAM
EXISTING L&N CONTOURS

City of Austin

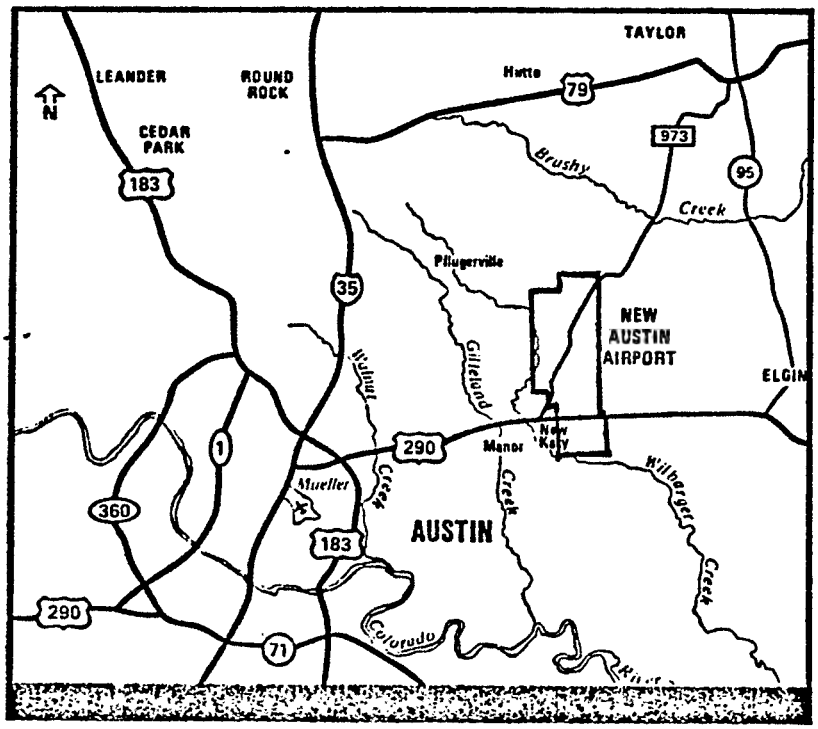


Property Purchase and Relocation Assistance

Information on How the City of Austin Will Acquire Property for the New Airport

Property Purchase and Relocation Assistance

Information on How the City of Austin Will Acquire Property for the New Airport



The Austin area's new airport will be located just to the east of Manor, Texas on U.S. 290 in northeast Travis County.

The New Austin Airport

On November 3, 1987 voters approved a proposal to relocate Austin's municipal airport to a site east of Manor, Texas. Following this public referendum, Austin City Council unanimously decided to take action initiating the development of a new airport. The new airport will serve the Austin area's long-term aviation needs. For the interim, Robert Mueller Municipal Airport will serve the area until operations can begin at the new location.

This Summary is For Your Information

The purpose of this brochure is to provide you with general information about how the City of Austin will acquire property (consisting of land and/or improvements) in and around the new airport. The City intends to proceed with this and other actions which will develop a safe, functional airport while minimizing adverse environmental and social effects. The City's obligations to you and your rights under the law are outlined in this brochure. This publication is a first step toward acquainting you with the process the City will follow to acquire property and relocate residents fairly and equitably.

There is another publication you will want to review. This publication, entitled "Your Rights and Benefits as a Displacee Under the Federal Relocation and Assistance Program," accompanies this brochure. All acquisition and relocation activities will be in accordance with the federal "Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (P.L. 91-646)."

Austin City Council

Mayor—Frank Cooksey
Place 1—Max Nofziger
Place 2—Smoot Carl-Mitchell
Place 3—Sally Shipman
Place 4—George Humphrey
Place 5—John Trevino *(also Mayor Pro-Tem)*
Place 6—Dr. Charles Urdy

Department of Aviation, City of Austin

Timothy D. Ward
Director of Aviation
Leslie Sagar, P.E.
Manager, Facilities Planning and Engineering

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City of Austin Policy on Property Acquisition and Relocation Assistance

It is the policy of the City of Austin to treat all owners and tenants fairly and equitably in the purchase of or relocation from property which the City acquires for the new airport. Property owners or tenants are encouraged to seek information and ask questions of the property agent throughout the acquisition process.

This brochure is designed to answer questions you may have regarding the purchase of or relocation from property in which you have an ownership interest or which you occupy. Questions you may have are welcomed and will be answered by the property agent prior to the purchase of your property.

It is also the City's policy to follow federal guidelines on relocation assistance as outlined in "Your Rights and Benefits as a Displacee Under the Federal Relocation and Assistance Program, 1986." Affected residents are encouraged to seek information and ask questions of the relocation specialist throughout the relocation process.

A property agent and relocation specialist will contact you at the appropriate time to provide detailed information on these programs.

Property Acquisition Within the Boundary of the New Airport

New Airport Site—Land area necessary for the development and operation of the new airport and all its support facilities. All land and improvements will be purchased and improvements relocated or demolished in order to construct the new airport.

The first step in new airport development will be the acquisition of all property that lies within the boundaries of the new airport site. For land parcels partially within the new airport site boundary, the landowner will have the option of selling the entire parcel to the City or only that portion included within the new airport site boundary. Improvements on land purchased by the City may be retained by the owner and relocated at the owner's expense. Retention of the relocated improvement(s) may affect the amount paid for acquisition and/or relocation assistance.

Property Acquisition Within the Land Use Compatibility Zone

Land Use Compatibility Zone—Area outside, but contiguous to the new airport site which has been defined by analyzing future noise levels associated with operating the new airport. In this zone, land and improvement uses will be restricted consistent with federal guidelines. All non-compatible improvements will be purchased and relocated or demolished in order to operate the new airport.

A Land Use Compatibility Zone has been defined outside the new airport boundary. This zone has been identified using U.S. Department of Housing and Urban Development (HUD) standards for suitable living environments, and Federal Aviation Administration (FAA) land use compatibility guidelines. Noise levels from airport operations that may occur in this zone may not be compatible with single-family residences, schools, churches, health facilities, and community facilities.

The City will develop guidelines for use of property within the Land Use Compatibility Zone that are consistent with HUD and FAA standards for compatible uses.

In order to reduce or eliminate noise effects in this zone, the City will offer to purchase all improvements which are not compatible (churches, schools, single-family residences, etc.), with the owner retaining possession of the land. In certain instances the City may purchase land as well as improvements. On small parcels where the value of the land is integral to the value of the improvement the City will offer to purchase the land as well as improvements. Improvements may be retained by the owner and relocated at the owner's expense. Retention of the relocated improvements may affect the amount paid for acquisition and/or relocation assistance.

It will be possible for the property owner to continue using the property for agricultural purposes or for compatible commercial or industrial uses. Also, the property owner could develop the property for uses compatible with restrictions to be placed on the property within the compatibility zone. For land parcels located partially within the Land Use Compatibility Zone having incompatible improvements on land outside the zone, the property owner has the following option: The City will offer to purchase the incompatible improvement as if it were located within the zone.

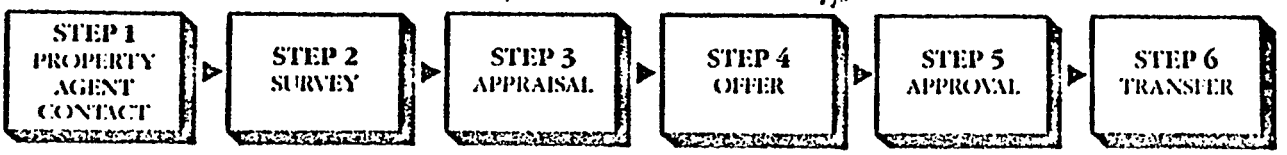
The New Katy subdivision is located partially within the Land Use Compatibility Zone. The City will treat New Katy as if it were entirely within the Land Use Compatibility Zone. The City will offer to purchase all improvements that are not compatible. Because the value of individual land parcels in the subdivision is integral to the value of intended residential development, the City will offer to purchase land as well as improvements.

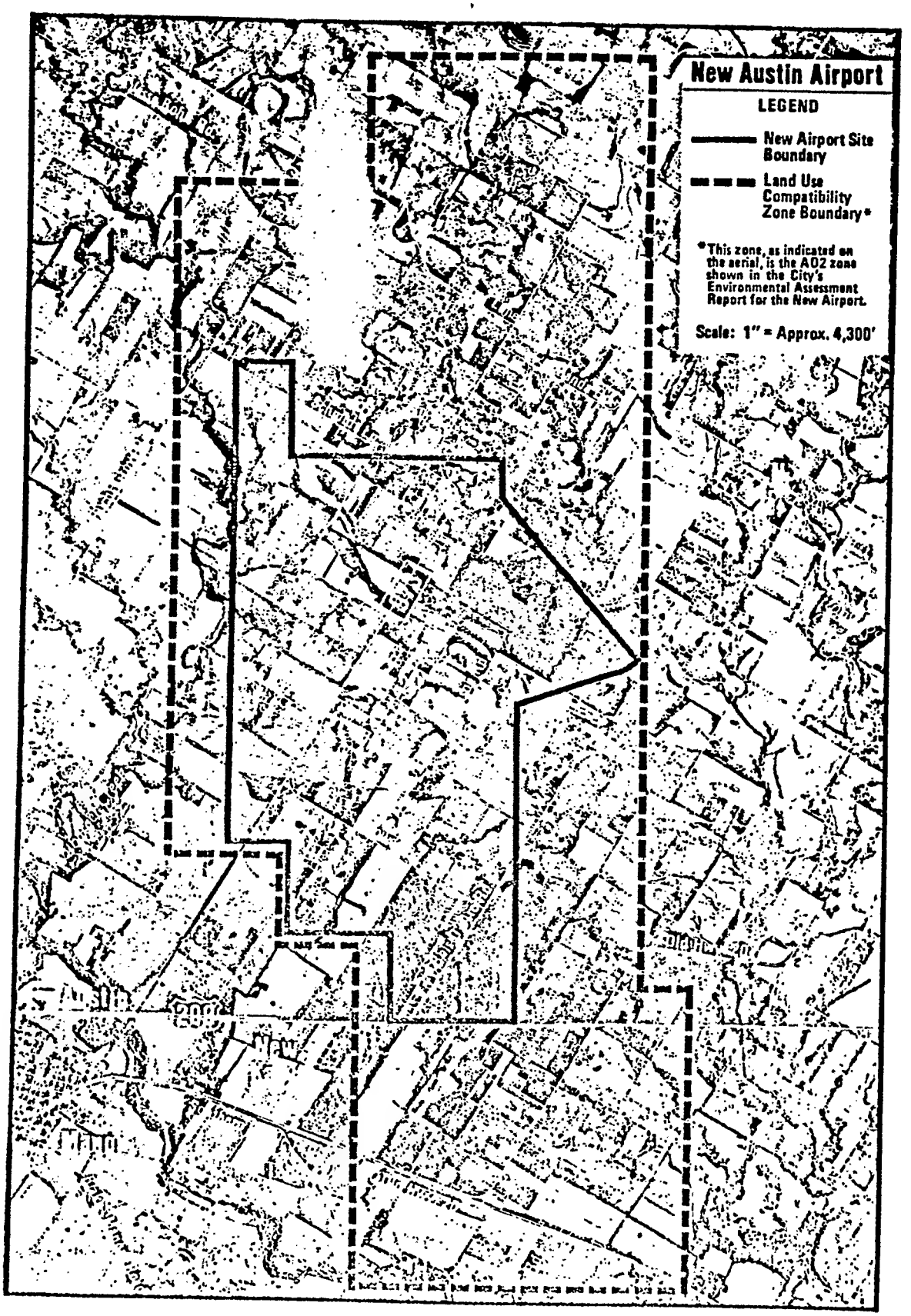
What Steps Will Be Followed To Acquire Property?

The steps to be followed by the City in acquiring property include the following:

1. Property Agent Contact
2. Property Survey
3. Property Appraisal and Determining Fair Market Value
4. Offer to Purchase the Property
5. Preparing for Closing of Purchase
6. Transfer of Title and Possession of the Property

The City of Austin's Process for Acquiring Property




New Austin Airport
LEGEND
New Airport Site Boundary
Land Use Compatibility Zone Boundary*
*This zone, as indicated on the aerial, is the AO2 zone shown in the City's Environmental Assessment Report for the New Airport.
Scale: 1" = Approx. 4,300'

The New Airport Site Boundary and Land Use Compatibility Zone

CITY MANAGER REPORT TO THE CITY COUNCIL

January 12, 1988

AIRPORT ANNEXATION ISSUES

I. EXECUTIVE SUMMARY

On December 1, the City Council approved a schedule for proceeding with full purpose annexation of the future airport site near Manor in order to assure compatible land use controls. The purpose of this annexation is to enable the adoption of airport compatible land use regulations as soon as possible. This report provides a discussion of issues relating to that annexation and a delineation of options. These issues should be resolved prior to the detailed staff work on service plan preparation and fiscal impact analysis.

II. ISSUES SUMMARY

There are four issues to be dealt with in a program to annex the Manor airport site for the purpose of implementing compatible land use controls over the area impacted by aircraft operations. They are:

- a determination of the area to be annexed;
- a definition of the new ETJ boundary;
- the level of service to be provided to the annexed area; and
- the City zoning designations for properties in the annexed area.

These issues are being brought to the City Council now to provide direction in the preparation of the annexation study, service plan, and fiscal analysis. With Council direction on these issues we can conduct a more thorough analysis on selected options and produce a more successful project.

III. BACKGROUND

A. Annexation Area

The airport site approved by the City Council covers an area of approximately 3,460 acres. The nearest existing City limit line is approximately 3.3 miles to the west of the airport site boundary. At the November 17, 1987 work session, the City Council directed that the airport site be annexed for full purposes, along with a strip to connect it to the

existing city limits. The airport site is shown on Map 1.

To comply with State annexation law the annexation strip must be at least 1000 feet wide beyond a point 3 miles from the existing City limits. Within the first 3 miles of the strip it may be less than 1000 feet only with property owners' consent. The City cannot annex property which is not already included in its ETJ.

According to an opinion from the Legal Department, State airport zoning law does not require the City to annex the entire airport site in order to gain compatible land use control around the airport. The City must annex only that part of the airport which contains the primary runways, defined as that area of land designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purposes.

The maximum Controlled Compatible Land Use Area (CCLUA) boundary permitted under State law is measured 1-1/2 miles from the centerline and 5 miles from the end of the paved surface of primary runways. Based on the current runway layout, the maximum area for these controls following annexation is identified as the AO-1 area on Map 1. The City Council should adopt an official airport plan as part of its initiation of the airport zoning process, so the boundaries of the CCLUA can be formally defined.

B. Extraterritorial Jurisdiction Boundary

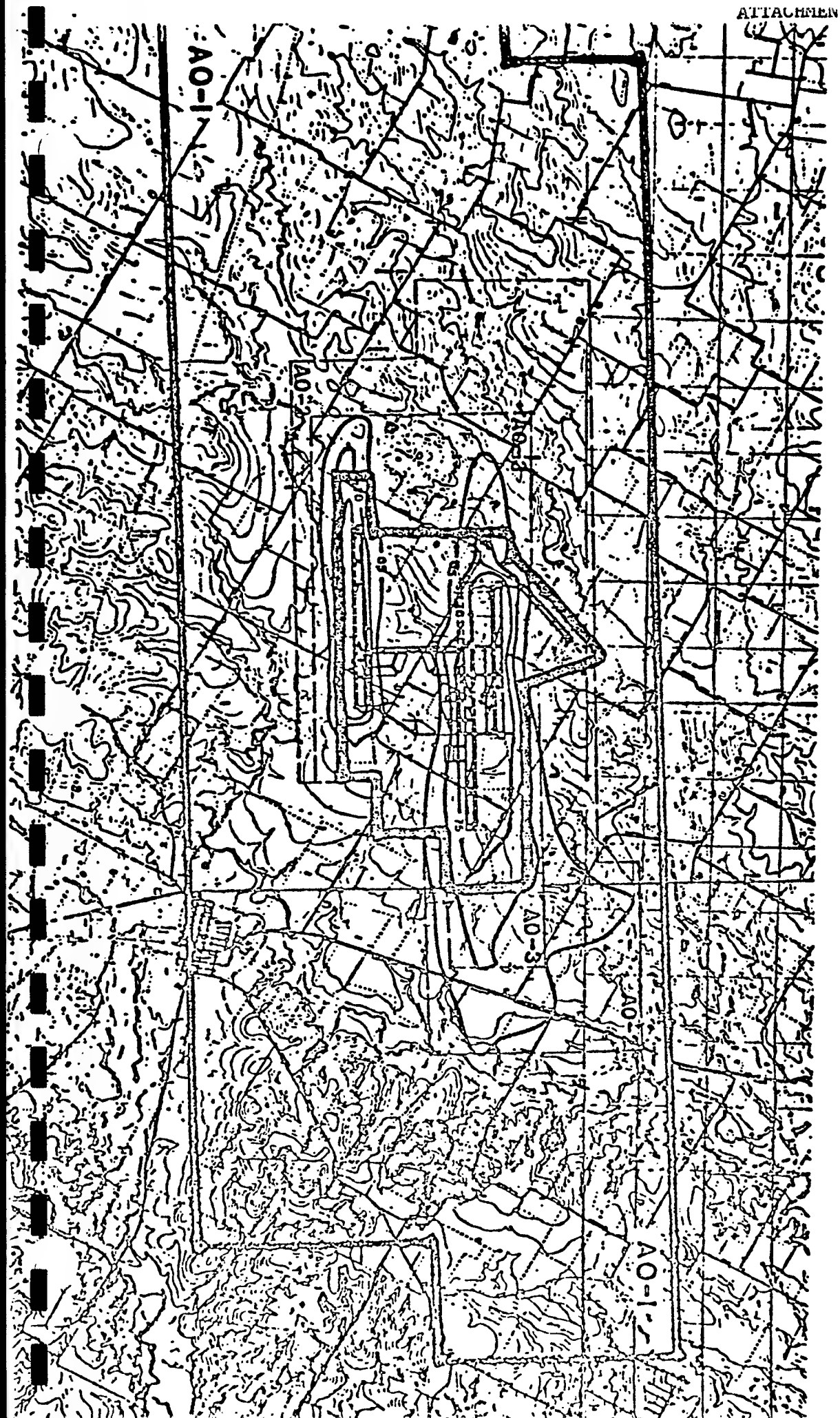
Annexation of the airport site would extend the ETJ boundary east of the airport beyond the line agreed to by Austin, Taylor and Elgin in 1985. Should the Council choose to limit the ETJ extension to the previously negotiated boundary, such a provision must be included in the annexation ordinance.

C. Level of Service To Be Provided To Annexed Areas

The City must prepare a service plan for annexation which provides services appropriate to the area's uses. In this case, the existing uses will not continue throughout the entire 10-year period of our annexation analysis - current residences and undeveloped areas will be replaced by the airport. This transition of uses dictates a service plan which provides for permanent service to the annexation strip, but only temporary service for uses within the proposed airport site. Once the area has been acquired for the airport, service provision will be programmed as appropriate for an airport use. This approach to service provision requires a different treatment than a typical annexation.

D. Zoning

There are two zoning programs which affect the airport site and surrounding properties. The first is assignment of City zoning categories for the annexed area itself, consistent with the City Zoning Ordinance. The second is the enaction of special airport hazard and compatible land use zoning regulations for the area within the Controlled Compatible Land Use Area (CCLUA), consistent with the State airport zoning law.



NORTH

MAP #1

AIRPORT SITE & OVERLAY ZONES

Section 6570 of Chapter 13-2A regulates the zoning of territory upon annexation to the City. Any property annexed is assigned an interim zoning classification which is appropriate to its existing use, generally a classification of interim RR- Rural Residence District or interim SF-2 - Single Family Residence District. The property remains interim zoned until rezoning occurs and a permanent classification is established. The City Council's policy is that interim zoning be eliminated as quickly as possible. The adoption of permanent zoning requires notice of Planning Commission and City Council hearings to property owners and residents within 300 feet of the area to be zoned. The permanent zoning process can proceed concurrently with the annexation, with final Council action after the annexation is effective.

The State airport zoning law permits the adoption of airport hazard and compatible land use regulations for land within the CCLUA. These regulations do not have the full range of controls found in the City Zoning Ordinance; they relate strictly to noise and hazard considerations. If the airport is located within the City limits, the City can enact airport zoning for the entire area within the CCLUA, even if that area is partially outside the City limits. The actions necessary to enact these controls will follow annexation.

IV. ANALYSIS

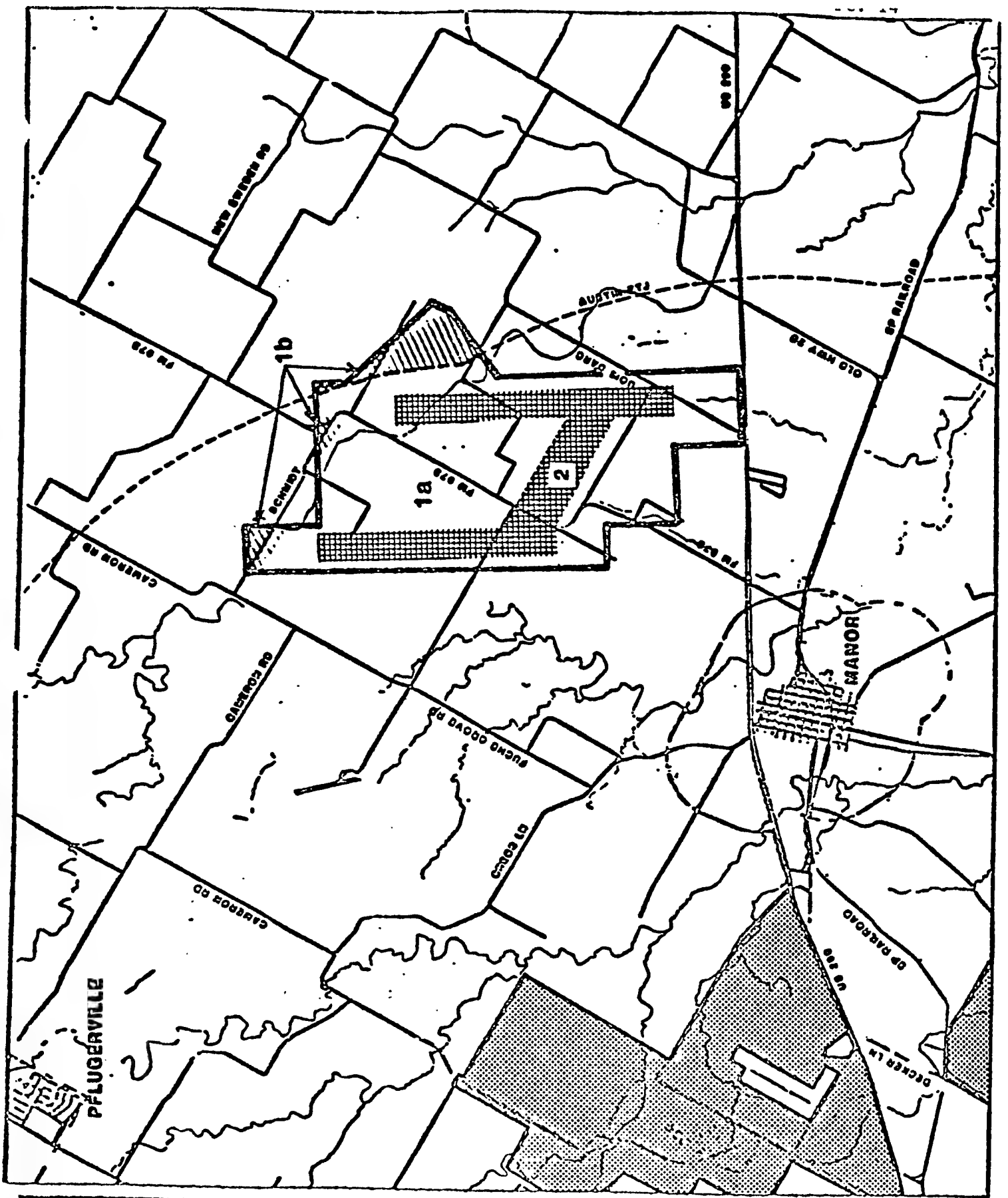
The following is my analysis of the four issues listed above. With direction from Council on these alternatives, I can concentrate the detailed analysis on options that are most viable and acceptable to the Council. Further study will be needed to address important issues of land use and infrastructure planning in the area surrounding the airport site.

A. Annexation Area

The City Council directed that we begin full purpose annexation of the airport site. We have defined the approach necessary to annex the entire area planned for the airport. In addition, we have identified two other site annexation alternatives which the Council may wish to consider. Finally, we have defined four alternative routes for the connecting strip between the existing City limits and the airport site. All of these alternatives appear to be feasible, although some require a two-phase annexation. In these cases, the first phase of annexation would include a strip and sufficient area of the airport site to enable the City to enact compatible land use controls in the CCLUA. The second annexation phase would enable the Council to annex the balance of the airport site, but this phase would not be necessary to establish compatible land use controls.

1. Annexation of the Entire Airport Site

Council's direction was to annex the entire site for full purposes, an area of approximately 3,460 acres. Such an annexation will need to occur in two phases. These phases are shown as areas 1A and 1B on Map 2. The second phase includes areas which will be outside the Austin ETJ until the first annexation is completed. The second phase also includes those portions of



AIRPORT ANNEXATION

MAP #2

EXISTING AUSTIN CITY LIMITS

AIRPORT SITE

SITE ANNEXATION OPTIONS

1a 1b 2

0 miles 1

N

DECEMBER 1987

the site which were recently disannexed by the City. Given the property owners' concerns about annexation and City service provision, it seems most appropriate to delay annexation of these areas until after the properties have been acquired by the City.

This approach will result in the annexation of approximately 85 existing residences. The City will be required to provide services to these residences until they are vacated; the property owners will be liable for City property taxes. Some of these residents may object to the proposed service levels or the imposition of taxes for the period before the City acquires their land. On the other hand, this approach ensures full City regulatory control within the entire airport site. Should a property owner wish to construct a structure prior to our land purchase, City permits would be required and the City might be better able to purchase the parcel before the structure was completed.

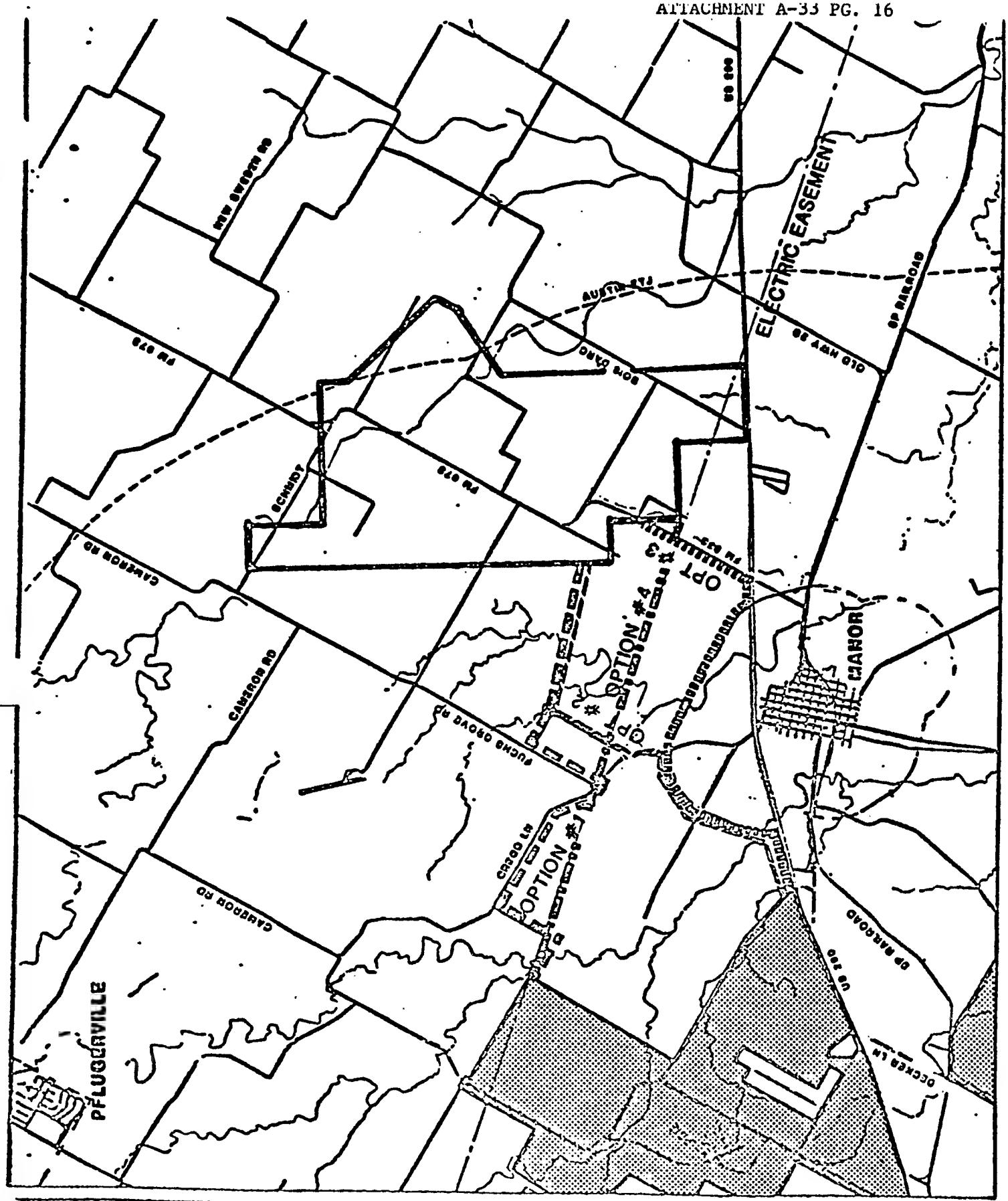
2. Other Site Annexation Options

Two other site annexation alternatives have been identified through our evaluation. Option 2, shown as area 2 on Map 2, would include the minimum area required to allow us to impose compatible land use controls in the surrounding area. This annexation would include only the area proposed for the primary runways and a connecting taxiway. This would encompass approximately 1,200 acres and would include only about 10 residences. This annexation could be completed in a single phase, because all the area is within the existing ETJ and none of the previously annexed land is involved. Under this option, City service costs would be minimized, as would the number of owners facing property tax payments. This approach would not extend City development controls to the entire site, increasing the risk that an owner would construct improvements in order to increase the value of his land when the City acquires it.

A third site annexation option combines the advantages of the previous two approaches. It would include full purpose annexation of the runway areas, in order to put compatible land use controls in place. Following completion of this full purpose annexation, the remainder of the site would be annexed for limited purposes only, giving the City regulatory control without the necessity for service provision or the imposition of property taxes. The entire remaining area could be limited purpose annexed in a single phase, although the Council might still wish to defer annexation of the areas recently disannexed.

3. Strip Annexation Alternatives

Regardless of the site annexation option preferred by Council, a strip of territory will need to be annexed to join the airport site area to the existing incorporated City. Four feasible strip annexation alternatives have been identified, which are shown on Map 3. In all cases, the strips would be 1,000 feet wide, the minimum allowed by law without owner agreement and for distances over 3 miles. With property owner consent, the width of the strip could be greatly reduced for the first 3 miles from the existing City.



AIRPORT ANNEXATION

MAP #3

EXISTING AUSTIN CITY LIMITS

AIRPORT SITE

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N

1 2 3 4 CONNECTION OPTIONS

DECEMBER 1987

R E S O L U T I O N

A POLICY DOCUMENT OF THE CITY OF AUSTIN ESTABLISHING THE GOALS AND OBJECTIVES ASSOCIATED WITH DEVELOPMENT OF THE NEW AIRPORT NEAR MANOR, TEXAS, INCLUDING SPECIFIC POLICIES PERTAINING TO PROPERTY ACQUISITION AND RELOCATION.

WHEREAS, the existing Robert Mueller Municipal Airport is inadequate for the long-term aviation needs of the region; and

WHEREAS, the City of Austin wishes to maintain and enhance the quality of life in the region and minimize adverse environmental impact to the greatest extent practicable; and

WHEREAS, the City of Austin has the authority to act in the interest of the community and the Central Texas region by providing adequate long-term aviation capacity; and

WHEREAS, the City of Austin has the obligation to provide aviation facilities consistent with the standards of the nationwide air transportation system; and

WHEREAS, the City Council has determined to relocate the airport and the citizens of Austin have supported that proposition in a referendum election; and

WHEREAS, the City of Austin desires that this regional facility provide an appropriate gateway to the Capital of Texas; and

WHEREAS, the City of Austin desires that an airport

facility be constructed to provide economic and social benefits for the region; and

WHEREAS, it is important that the City of Austin have a comprehensive program for airport development including financing, master planning, land acquisition and relocation, design, and construction; and

WHEREAS, the City of Austin desires to develop a set of policies that respond to the unique needs of individuals affected by the land acquisition and relocation activities for the new airport; and

WHEREAS, the City Council desires to clearly detail the intent, goals, and objectives regarding development of a new airport near Manor, Texas, and provide for the preservation of health, safety, and the general welfare of the public; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That it is the policy of the City to:

PROVIDE an airport facility planned to meet the long-term aviation needs of the region.

UTILIZE its regulatory authority to implement a program compatible with the national air space and capacity goals and objectives of the Federal Aviation Administration.

OBTAIN the maximum allowable funding from the Federal Aviation Administration and other available sources.

ENSURE fair and equitable treatment of individuals whose properties are purchased or who are relocated.

DEVELOP a detailed property acquisition Procedures Manual to ensure consistency with all applicable federal and state guidelines.

IMPLEMENT a comprehensive property acquisition and relocation program to facilitate orderly development of the airport, and minimize environmental impacts associated with construction and operation of an airport.

ENSURE that throughout the development of the new airport, access and existing utility service are maintained to properties which are not included in the acquisition program.

SEQUENCE acquisitions to minimize short-term tax revenue impacts on other governmental entities and school districts to the extent that it does not interfere with the cost-effective, scheduled development of the facility.

ALLOW continuation of agricultural activities on acquired property until completion of the crop cycle and minimize disruption to businesses that must relocate.

RELOCATE affected cemeteries and burial sites in accordance with applicable statutes and descendants' wishes while maintaining cultural and historical integrity.

COMMIT and manage the necessary resources to ensure the timely, cost-effective, and fiscally responsible development of this facility.

ENSURE that all actions respective to acquisition of property and relocation of families, individuals, and businesses are consistent with state and federal guidelines, and provide for the environmental compatibility of the airport with the surrounding area.

ADOPTED: December 10, 1987 ATTEST: James E. Aldridge

James E. Aldridge

City Clerk

CB/gp
c1023871

PROPERTY ACQUISITION MEETING ATTENDEES

Organization	Name	Title
Department of Aviation	Tim Ward and/or Leslie Sagar	Overall Management
City Legal	Lavon Jones and/or Charles Brothers	Legal Issues
Turner Collie & Braden Inc.	Jim Royer and/or Tom Burke	Acquisition/Relocation Presentation
Turner Collie & Braden Inc.	Linda Howard and/or Roger Durden	Meeting Set-Up and Registration
	Ray Doyal	Land Acquisition/Relocation Specialist
Planning and Growth Management	Norm Standerfer and/or Karen Walz	Annexation Issues

PROPERTY OWNERS LIST

PARCEL NO.	OWNERS
23	ABRAHAM BILLY (TRUSTEE) C/O JOSEPH ABRAHAM
280	ABRAHAMSON ROYCE LEE
279	ABRAHAMSON ROYCE LEE
130	ADAMEK KAY TAYLOR
338	ALEXANDER CECIL H. AND GEORGIA
18	AMERICAN METAL PROCESSORS INC.
299	ANDERSON CLINTON
5	AQUA WATER SUPPLY CORP.
338	ARELLANO JOE AND ROSA
53	ARMELI JOSEPH D.
224	ARNHAMN MARVIN AND DOROTHY
180	ARNOLD RUTH E.
294	AUSTIN MANOR INVESTMENTS II JOINT VENTURE
296	AUSTIN MANOR INVESTMENTS II JOINT VENTURE
392	BALLI VINCENT D.
356	BANDA JOSEPH AND JOSE A. SANCHEZ, Jr.
105	BAUDER BILLY C. AND BARBARA
106	BECKER ELSA AND CLEMMENS
33	BERGGREN CARROLL E.
32	BERGGREN CARROLL E.
73	BIGGERSTAFF HOMER L. AND DOROTHY T.
72	BIGGERSTAFF HOMER L. Jr. AND DOROTHY T
380	BILBERRY HAROLD AND NELL B.
91	BLACKMORE RONALD D.
150	BLACKMORE RONALD D.
146	BLACKMORE RONALD D.
147	BLACKMORE RONALD D.
196	BOECKER ARTHUR D.
194	BOECKER AUGUST J. AND RUBY M.
195	BOECKER AUGUST J. AND RUBY M.
161	BOHLS BLANCHE E.
58	BOHLS KENNTH
57	BOHLS KENNTH
4	BOHLS STEPHEN F.
6	BOHLS STEPHEN F. AND WILLIAM B.
9	BOHLS STEPHEN F. AND WILLIAM B.
10	BOHLS STEPHEN F. AND WILLIAM B.
305	BOND JERRY A. AND TOMMIE F.
252	BOSWELL JOINT VENTURE
338	BRADSHAW EUGENE AND ELIZABETH
272	BRANT MARGARET L.
338	BRAZELL JESSIE
200	BRUGMAN LAWRENCE AND GOLDIE
199	BRUGMAN LAWRENCE AND GOLDIE
125	BRYAN WILLIAM C/O BILL BRYAN
140	BUETIKOFER ALFRED R. AND PATRICIA
139	BUETIKOFER ALFRED R. AND PATRICIA C/O A.R. BUETIKOFER
124	BUNCH EDWARD C. AND AMELIA

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
338	BUNTE H. M. C/O SHIRLEY HERZOG
411	BUSTER EDWIN R. AND DONNA
313	BUTLER J. C.
368	CAMILLERI NATALINO
338	CAMPBELL E. J.
240	CAPITOL CITY VENTURES
285	CARPENTER C. B. TRUSTEE
233	CARPENTER C. B. TRUSTEE
237	CARPENTER DEVELOPMENT
277	CARPENTER DEVELOPMENT
266	CARPENTER DEVELOPMENT
236	CARPENTER DEVELOPMENT
253	CARPENTER DEVELOPMENT
301	CARPENTER DEVELOPMENT
275	CARPENTER DEVELOPMENT
276	CARPENTER JAMES AND C. B.
333	CARPENTER JAMES R. TRUSTEE
334	CARPENTER JAMES R. TRUSTEE
326	CARPENTER JAMES R. TRUSTEE
405	CARTER WENDELL C.
370	CASEY MARVIN R. AND SHEILA
338	CASTILLO G. AND FELICITA MUNIZ C/O DOMINGO MUNIZ
332	CATHY WILLIE AND ELLIE M.
62	CAVNESS DON
304	CLOUD STEPHEN AND KATHERYN R.
367	COBB NOLAM
42	COFFEE JON N.
103	COMBES JOHN C. AND PATRICIA L.
239	CONVERSE MARY J. E.
97	COOK GLEN E. AND SUSAN ROOKE
323	CORDES WELDON H.
312	COX LARRY W. AND PATRICIA C.
219	COYLE STEPHEN E. H. AND MARYROSE HIGHTOWER
338	CURRY WILLIE AND BERTHA
188	DAHLY DONALD E. Jr.
83	DANIEL MARK W. AND CHERYL G.
338	DAVIDSON A. A.
338	DAVIS ALBERT
338	DAVIS JOHN H.
364	DAVIS ROBERT B.
173	DEARING HARRY L. AND AUDREY
126	DENSON BRUCE
101	DILLEY JAY L. JANICE J.
100	DILLEY JAY L. JANICE J.
330	DOBIAS DOMINIC AND MARY ANN
338	DOMINGUEZ JOE AND VIRGINIA
358	DOMINGUEZ RAUL A.
373	DONOHUE BRENNER NORTON

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
374	DONOHUE BRENNER NORTON
176	DOUBRAUA MARGUERITE M.
175	DRAMAN REXFORD H. AND ALGENE C. HERMS
270	DUDERSTADT ALEX
61	DYMKE SUSAN
82	EARLY RICK L. AND LESLIE A.
395	EDDIE PERRITT J. AND CALVIN SMITH Jr.
328	ENDERS JOHN C.
295	EPPRIGHT BEN R. AND NANCY E. NORDQUIST
297	EPPRIGHT BEN R. AND NANCY E. NORDQUIST
225	EPPRIGHT GEORGE J.
318	EPPRIGHT GEORGE J.
302	EPPRIGHT GEORGE J.
398	EUBANK JESSE D.
198	EUBANKS ELMO J. AND MINNIE M.
197	EUBANKS ELMO J. AND MINNIE M.
190	EUBANKS ELMO J. AND MINNIE M.
264	EYERLEY M. D. C/O CHARLES E. SCHROEDER
259	EYERLEY M. D. c/o E. E. LOTT
261	EYERLEY M. D. C/O JOE LEE
399	FERGUSON DAVID E.
289	FIEBIG DAVID AND TONIA
288	FIEBIG ERSKINE AND ALICE
338	FISHER ANTHONY
338	FISHER BEN
338	FLETCHER HENRIETTA
108	FOEHR BOBBY M. AND JANET L.
76	FRANKLIN JUNE M.
90	FRANZETTI JOHN A.
85	FRANZETTI SUSAN HELLMAN
27	FREDERICKSON CALVIN L.
390	FRENANDEZ ERNEST
114	FUCH WALTER AND MARY
231	FUCHS ALETA R. C/O ROBERT A FUCHS
251	FUCHS PROPERTIES
162	FUCHS WILFRED A.
393	GAGE VIRGIL RAY
338	GALVAN AURORA SAUCEDO
339	GALVAN HENRY
338	GALVAN HENRY AND HENEREJLDA
338	GARCIA ALBERT
281	GEBAUER CLARA MARIE
21	GEBERT MICHAEL G. AND MARCIE E.
47	GEBERT WAYLON O. AND HILDE
22	GEBERT WAYLON O. AND HILDEGRADE
391	GIBSON FREDERICK A.
207	GIBSON RADFORD B.
343	GINSEL DOROTHY

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
342	GINSEL GILBERT AND DOROTHY
349	GOETH JOSEPH A.
348	GOETH JOSEPH A.
338	GONZALES DEONISIO
338	GONZALES JOE T. AND ANNIE
338	GONZALES ROY
232	GONZENBACH CLIFTON L.
293	GONZENBACH EDWARD
338	GRANVILLE JOSEPHINE
338	GREEN ROSIE L.
193	GRIMM DARRELL RAY AND DEBBIE E.
192	GRIMM DARRELL RAY AND DEBBIE E.
96	GUAJARDO ADAM
95	GUAJARDO WILLIE AND ANN
355	GUERRERO CLARENCE
284	GUNN MARY E. H.
104	GUTHRIE CARL LEE
338	GUZMAN JESUS G.
123	HAISLER CHARLES A. AND EILEEN C.
215	HANDSEL MARGIE LEE
375	HARPER DARREL R.
54	HEES KENNETH R. AND JANET
143	HEES KERMIT
67	HEES KERMIT
66	HEES KERMIT
92	HEES KERMIT AND LYDIA
67	HEES RAYMOND
43	HEES RAYMOND
66	HEES RAYMOND
143	HEES RAYMOND
48	HEES RAYMOND
87	HEES RAYMOND AND LILLIAN
84	HELLMAN JUNE
79	HELLUMS GLEN D.
338	HENDERSON ETTA M.
357	HIGGINBOTHAM G. W.
65	HODDE ERNEST W. AND ETHEL E.
220	HOLCOMB TOMMIE AND LIESL
257	HOLDEN WILLIAM N.
338	HORTON RACHEL
258	HUDDLESTON CHARLES D.
221	HUNT TOM
216	HUNT TOM C/O JACK AND LAURA CAMP
211	HUNT TOM C/O NEIL WARREN AND VANESSA
213	HUNT TOM C/O ROBERT C. SCHULTZ
212	HUNT TOM C/O WILLIAM E. GIRARD
311	HURST DON D. AND CAROL
88	HUTCHINSON CRAIG THOMAS AND WENDY K.

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
338	HUTCHINSON SAMMIE
145	INGERSOLL HAROLD E.
227	IRWIN JACK D. AND FRANKIE L. SLADE
113	JACKSON ROBERT R.
118	JACKSON ROBERT R.
414	JAIME RUBEN E.
412	JAIME RUBEN E.
80	JASEK DENNIS E.
14	JOHLE ARTHUR M. AND BERTHA
12	JOHLE KENNETH A.
11	JOHLE KENNETH A.
13	JOHLE KENNETH A.
324	JOHNSON CARLOS W.
325	JOHNSON CARLOS W.
183	JOHNSON IVAN AND DONNA
182	JOHNSON IVAN Jr.
385	JONES EDGAR F.
386	JONES GARY AND EDGAR F.
282	JONES JOHN AND RITA
283	JONES JOHN AND RITA
249	KELLY EMMETT E.
241	KELLY PAT WILLIAM
135	KEMNITZ DWIGHT A. AND KAREN
308	KENNEMER LARRY AND TERRY
309	KENNEMER LARRY LOUISE C/O TERRY KENNEMER
169	KIKER ALICE FAY
217	KING MARTHA
268	KOELZER JOSEPH H.
269	KOELZER JOSEPH H. AND MARY
406	KOETHER GUS G. C/O C. K. KOETHER
243	KROLL LINDEN
327	KROLL PAULINE
63	KUEMPEL CHARLES W.
59	KUEMPEL CHARLES W. AND GLORIA
81	LAAS WALTER J. Jr. AND LOIS
267	LANIER CHRIS AND EVELYN
184	LAWRENCE ROYCE WADE
89	LERMA THOMAS G. AND ANA M.
354	LEWIS HAROLD E. Jr.
344	LEWIS HAROLD E. Jr.
417	LINDGREN JAMES L. AND BARBARA S.
418	LINDGREN JAMES L. AND BARBARA S.
402	LLOYD BILLY J.
260	LOTT EDWARD E. AND MARTHA G.
338	LUNA JAINE REYES
329	LUNDGREN ROBERT M.
244	LUNDGREN ROBERT M.
234	LUTZ JAMES T.

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
201	LYDA CHARLES AND SALLY BREWSTER
345	L.C.R.A.
350	MADDUX RAY E.
351	MADDUX RAY E.
347	MADDUX RAY E. AND PATTY
98	MAGNUSON EDWIN AND ANNA
170	MAGNUSON GEORGE V. AND VIVA LEE
55	MAHLOW CLARENCE AND LILLIE
137	MAHLOW LAVAN AND HELEN
68	MAHLOW LAVAN AND HELEN
290	MANOR II JOINT VENTURE C/O CARPENTER AND ASS.
376	MANOR JOINT VENTURE II
372	MANOR JOINT VENTURE II
371	MANOR JOINT VENTURE II
378	MANOR JOINT VENTURE II
369	MANVILLE WATER SUPPLY CORP.
338	MARCIAS SALVADOR B.
338	MARCIEL ANTONIO
338	MARCIEL LORENZO
338	MARCIEL LORENZO H. JR.
338	MARCIEL RUBEN
389	MARSHALL WILLIAM D.
121	MARTINKA BEN AND VICKI
120	MARTINKA DANIEL AND MARY
214	MATTHEWS FRANK R. AND MARGARET AND MARGIE L. HANDS
154	McCULLOUGH E. J. AND GLORIA J.
153	McCULLOUGH E. J. AND GLORIA J.
229	McDONALD EDDIE
230	McDONALD JOHN H.
338	MCGEE WILLIE
228	MECK DAVID H.
287	MEIER JUANITA
384	MERCADO DONALD AND BETTY
382	MERCADO DONALD AND BETTY
273	MEREDITH JODDIE AND MIRIAM
142	MEYERS RALPH L. AND KAREN L.
89	MICHAEL JAMES AND JUDITH DAVIS
37	MIKUS THOMAS AND WINNIEFRED
75	MIKUS THOMAS AND WINNIEFRED
74	MIKUS THOMAS AND WINNIEFRED
29	MIKUS THOMAS AND WINNIEFRED
179	MILLS AUGUST JR.
111	MILLS LARRY Q. Sr.
26	MOERBE RUBEN L.
41	MOKRY BERNARD A. AND SHIRLEY A.
40	MOKRY BERNARD A. INC.
38	MOKRY BERNARD A. INC.
39	MOKRY BERNARD A. INC.

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
248	MONTEMAYOR FRANK A. AND MARIA C.
222	MOORE ELLEN H.
338	MORALES SHIRLEY
310	MORGAN ROCKY C/O MID-TEX INVESTMENTS
116	MOTT CHARLES L. AND VERNAGENE
394	MOYE ROCK D.
338	MUNIZ DOMINGO
278	NAGLE LUCILE W.
338	NASH HIAWATHA AND RUBY
408	NASH RANCH Ltd.
189	NELSON STEVEN W.
78	NEW SWEDEN LUTHERAN CHURCH
50	NICHOLS CLIDE RAY
49	NICHOLS CLIDE RAY
51	NICHOLS CLIDE RAY
52	NICHOLS CLIDE RAY AND CANDICE
363	NOACK R. PATRICK
362	NOACK R. PATRICK
366	NOACK R. PATRICK
360	NOACK R. PATRICK
361	NOACK R. PATRICK
413	OLVERA SNOW
415	OLVERA SNOW Jr. AND HOPE M.
338	ORTEGA CANUTO
94	ORTEGA LEON R.
93	ORTEGA LEON R. AND J. ARELLA
187	PACLIK MICHAEL J.
185	PACLIK MICHAEL J.
86	PARKER ARTHUR L.
141	PATRICIA ANN
133	PATTEN DAVID
131	PATTEN DAVID M. AND ELAINE
132	PATTEN DAVID M. AND ELAINE
134	PATTEN GALEN AND SHERRI C/O DAVID PATTEN
291	PAYNE LAVERNE T. AND MACE B. THURMAN Jr.
172	PEARCE LUCILLE AND LESLIE
242	PEARCE MORGAN L. AND T. T. TRUSTEES
148	PENG EDWARD AND LUKE AND SHIAW S. WANG
353	PENG LARRY YUN-HONG
191	PENG YUN-HONG
3	PFENNING RUTH JEAN
56	PFLUGER ROSA AND BROTHERS
1	PFLUGER WILLARD AND CAMILLE
352	PIHLAK BENJAMIN AND ANNE A.
163	POKORNEY AGNES E.
166	POKORNEY DANIEL A.
164	POKORNEY JOHNNY B. AND MARGARET H.
165	POKORNEY MILBERT F.

PROPERTY OWNERS LIST (cont.)

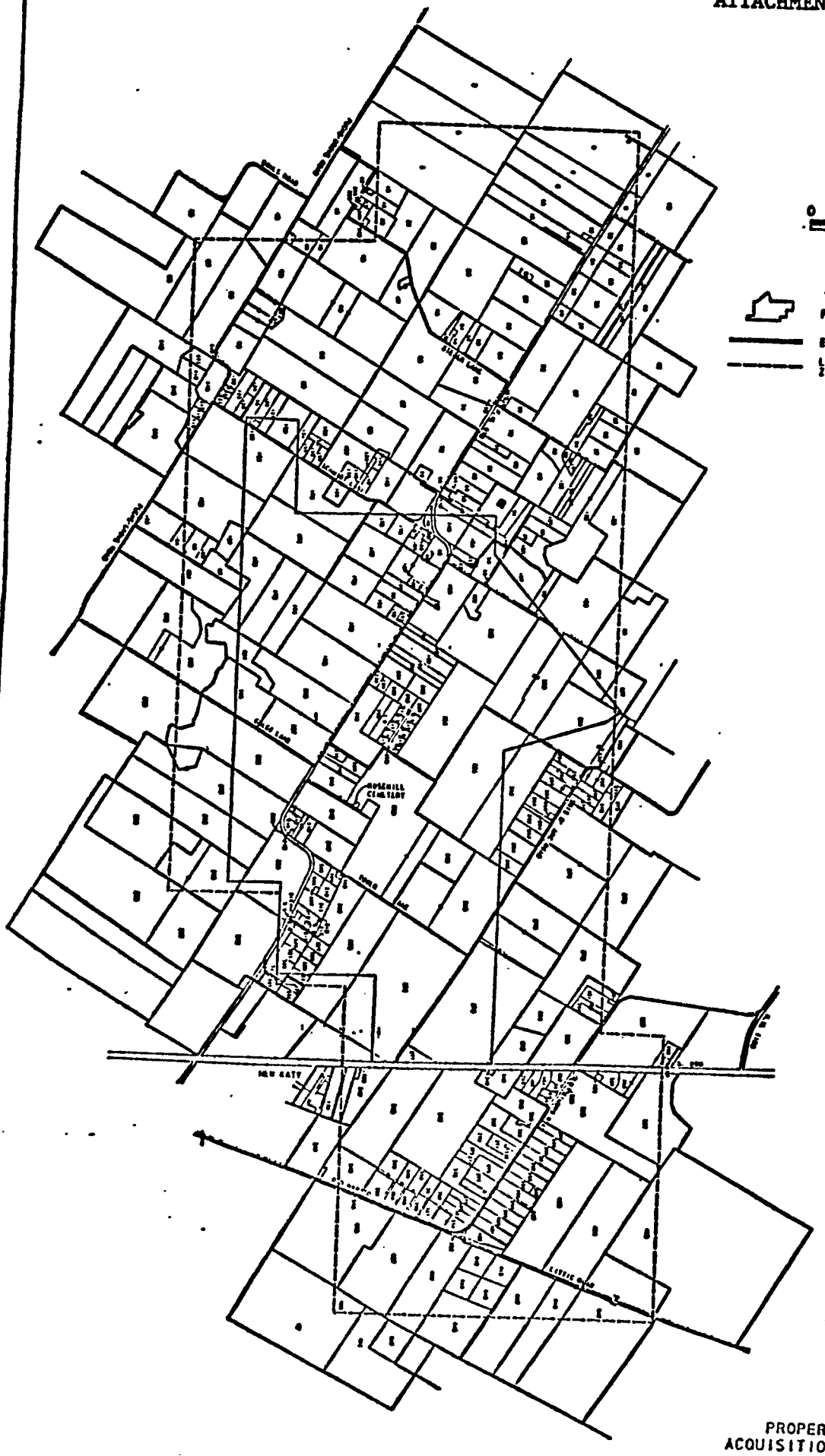
PARCEL NO.	OWNERS
168	POKORNY RAYMOND J.
167	POKORNY RAYMOND J. AND SHIRLEY
409	POTH CHARLES J.
407	POTH CHARLES J.
410	POTH CHARLES J.
256	PRELLOP GEORGE W.
255	PRELLOP LEONARD D. AND KATHY
112	PRUITT JAMES G. AND NANCY M.
379	PUGH ROBERT L. AND NORMA B.
151	RAESZ ROBERT E.
152	RAESZ ROBERT E.
149	RAESZ ROBERT E.
77	RATHKE ALFRED R. Jr.
338	RAY DONAL AND RICHARD POWELL
338	REBOLLOSE AURORA SAUCEDO
128	RETHWISCH RODNEY
338	REYES DAVID
338	REYES ESPERANZA
338	REYES LUCIANO
338	REYES MARTIN AND VIRGINIA
70	REYES RALPH
338	REYES RUPERTO
338	REYES SEBRAINO C/O DAVID REYES
381	RHOADES DALE
286	RICHARDS HOWARD N.
338	RICHARDSON ELLEN
314	ROBERTS STEVE AND DEBORAH
315	ROBERTS STEVE L. AND DEBORAH
338	ROBERTSON JESSIE AND BARBARA
377	RODMAN JEFFERSON O.
8	ROLFF FRIEDA
262	ROSS RAYMOND L. Sr.
401	RUCHLIK JOHN J.
400	RYCHLIK ALBERT R.
155	SCHELER CHARLES W.
107	SCHELER CHARLES W. AND DIANA
298	SCHILLER DAVID H. AND CAROLYN
19	SCHILLER DAVID H. AND CAROLYN
102	SCHMIDT KENNETH D. AND ELIZ
383	SCHNAUTZ NANCY AND MARGARET McANULTY
238	SCHULZ MELVIN L.
303	SCHWARZ WILLIAM C.
20	SCHWARZ WILLIAM C.
99	SECRETARY OF HOUSING AND URBAN DEVELOPMENT
338	SERVANDO TORRES
186	SHAW TED E. AND SARAH K.
388	SHELLENBECK G. VAN
210	SHELTON JOHNNY EARL

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
202	SHELTON SIDNEY AND BILLIE
209	SHELTON SIDNEY AND PATRICIA
206	SHELTON SIDNEY P.
122	SHELTON WILLIAM W. Jr. C/O BEN AND VICKI MARTINKA
181	SISTRUNK HUGLEY L.
254	SKYWAY I JOINT VENTURE
226	SLADE GEORGE H. JR.
160	SLADE GEORGE H. JR. AND CHERYLL
156	SLAYTON CECIL L.
157	SLAYTON CECIL L. AND PATRICIA A.
35	SMITH CHARICE
34	SMITH CHARICE
31	SMITH CHARICE
274	SMITH THOMAS T.
335	SOUTHERN PACIFIC RAILROAD
119	SPARKS CHARLES AND KATHLEEN
159	SPARKS-MOYE PARTNERSHIP
223	SPARKS-MOYE PARTNERSHIP
338	SPEARS EMMITT M.
338	SPENCER LYLE JOHN
174	SPRINKLES KENNETH AND JOYCE
331	SRNENSKY EDMOND A.
265	SRNENSKY GARY L.
64	STANZEL VICTOR AND JOE
271	STARK JEROME AND FRANCES
46	STEGER EDWIN
117	STRATTON THOMAS J. AND PAULA
307	STRAUGHAN MARLA K.
306	STRAUGHAN VIRGINIA W.
263	STRIEGLER MARION E.
44	ST. JOHNS UNITED CHURCH OF CHRIST C/O KENNETH HEES
235	SUNBECK MARY ANN AND OBERT
2	TEER MYRTLE
338	THOMAS OLLIE
341	THURMAN ALMA I.
218	TIDWELL MICHAEL T.
396	TILLY T. J. AND SARAH D.
397	TILLY T. J. AND SARAH D.
403	TILLY T. J. AND SARAH D.
404	TILLY T. J. AND SARAH D.
387	TILLY T. J. AND SARAH D.
17	TIMS JAMES GLYNN AND LISA LOUISE
321	TORN PAUL E. AND META E.
115	TRAVIS COUNTY
316	UNSCHIED HENRY M. AND ALMETTA
317	UNSCHIED HENRY
338	VALASCO ANTONIA REYES AND FELICITA REYES MUNIZ
158	VARELA FELIX A. AND ALEXJANDRA

PROPERTY OWNERS LIST (cont.)

PARCEL NO.	OWNERS
338	VASQUEZ JUAN AND BESSIE
420	VASSALLO ROSS
419	VAUGHAN BEN F. III
300	VELASQUEZ ROY C.
338	VILLALOBOS MAGDALENO G.
247	VOELKER STANLEY AND RALPH REINHARDT
245	VOELKER STANLEY D. AND SANDRA K.
246	VOELKER WELDING AND CONSTRUCTION
416	VORWERK JAMES W. AND MARY D.
171	VORWERK MARGERET L.
346	VRAZEL GEORGE P. AND MAE M.
30	WALENTA NELDA M.
36	WALENTA NELDA M.
109	WARNER DARRELL L. AND KAY L.
338	WASHINGTON GEORGE
127	WATTS GLENN W. AND EVA C.
292	WEAVER JOHN D. Sr. AND CHARLOTTE
138	WEHLING GEORGE AND MARTHA M.
60	WEIDNER W. W. AND IRENE
250	WEILER JOHN E.
25	WEISS DONALD L.
28	WEISS DONALD L.
45	WEISS GILBERT AND MARY L.
15	WEISS GILBERT R. AND MARY L.
24	WEISS LAMAR
7	WERCHAN EMMA
338	WHEELER PEARLINE
136	WHITE JOHN L. AND BARBARA
110	WHITELEY JAMES W. AND NADINE M.
340	WIER ELSIE F.
16	WIHELM THEODORE R.
359	WILHOIT JERRY W. AND ELIZABETH
322	WILKERSON JAMES W.
178	WILLIAMS GROVER C. AND MARY G.
177	WILLIAMS GROVER C. AND MARY G.
208	WOLF MITCHELL AND GERALDINE
203	WORLEY ROBERT I.
204	WORLEY ROBERT I.
205	WORLEY ROBERT I.
129	WYATT WILLIAM O. AND SYLVIA
320	YOUNG AUBRA L.
319	YOUNG AUBRA L.
338	YSLA REFUGIO
71	ZAPATA RAMSEY G.
69	ZAPATA TONY G.
365	ZERN JOSEPH C. AND BETSY H.



PROPERTY ACQUISITION AREA

PROPERTY OWNERS PACKET
CONTENTS LIST

1. Program Agenda
2. Writing paper
3. Informational brochure
4. Relocation Assistance brochure, plus insert
5. Property owners list
6. Property owners map
7. Policy Document
8. List of meeting attendees
9. Annexation Report

PROPERTY ACQUISITION MEETING
AGENDA

A. Introduction

B. Annexation

C. Acquisition Process

D. Relocation Assistance

E. Closing

F. Question Session

CONDITIONS OF APPROVAL
SUMMARY SHEET

E1 NOISE

Conditions relative to Noise Considerations:

(a) The city of Austin will comply with its "Land Use Compatibility Assurance" (Part IV, Attachment L-1) to implement an aggressive zoning control and acquisition plan to ensure that, wherever possible, incompatible land uses that currently exist at the site will not remain within the 65 Ldn (or greater) contours, encompassing the AO-2 and AO-3 zones and airport boundary.

(b) The city of Austin will comply with its "Land Use Compatibility Assurance" to ensure that all land uses in the 75 Ldn (and greater) zone will remain within airport property boundaries.

(c) The city of Austin will comply with its "Land Use Compatibility Assurance" to ensure that, wherever possible, future land uses within 65 to 75 Ldn zones (encompassing both zones AO-2 and AO-3) will be compatible with airport uses. More specifically, within the AO-2 and AO-3 zones new noise-sensitive land uses should be introduced, if at all, only provided special building interior sound reduction techniques are used.

(d) The city of Austin will comply with its "Land Use Compatibility Assurance" to ensure that, while land uses in the less than 65 Ldn zone (which is the AO-1 zone) that will be within the area zoned by the city of Austin will not require land use restrictions because they will be below land use compatibility guidelines recommended by FAA and HUD, efforts will be made, within reason, to maintain compatibility of land uses with the airport within the AO-1 zone.

(e) The city of Austin, through its land use zoning authority, will implement height hazard zoning based on Federal Aviation Regulations Part 77 imaginary surfaces for the ultimate development of the airport (see Attachment A-29, Height Hazard Zoning Map) Plans for any structures or obstacles which would potentially penetrate these surfaces will be subject to review and approval under the height zoning ordinances.

FINDING OF NO SIGNIFICANT IMPACT

PART II: DOCUMENTS INCORPORATED BY REFERENCE

The following studies are incorporated by reference, as per 40 CFR § 1502.21, which states "Agencies shall incorporate material ... by reference when the effect will be to cut down on bulk without impeding agency and public review of the action. The incorporated material shall be cited ... and its contents briefly described." The studies themselves are too voluminous to be appended to this FONSI; however, since the information they contained aided FAA in its decision, salient points from these studies were briefly summarized in Part I of the FONSI, and pertinent graphic materials were reproduced and included as Attachments to Part I.

1. Austin Airport Alternative Site Evaluation and Selection Update, May 1987, Final Draft, Turner Collie & Braden Inc. Contents: This study examined 24 alternative sites and narrowed the selection to one preferred alternative.

2. Executive Summary: Part A: Environmental Assessment of Mid-Term and Long-Term Development Options at Mueller Airport, Final Report, April 1987, Greiner*Austin Team. Contents: This document summarized environmental impacts of the 8 alternative expansion options at the existing Mueller Airport.

3. Part A: Environmental Assessment of Mid-Term and Long-Term Development Options at Robert Mueller Municipal Airport, August 1986, Greiner*Austin Team. Contents: This study examined the environmental impacts of 8 alternative expansion options at the existing Mueller Airport.

4. Part B: Mid-Term and Long-Term Facility Development Options at Mueller Airport, August 1986, Greiner*Austin Team. Contents: This study concentrated on design alternatives for expansion options at the existing Mueller Airport.

5. Development Cost for Long-Term Expansion of Mueller Airport, August 1987, Greiner*Austin Team. Contents: This study developed costs for the C-4C and D-1 expansion options at the existing Mueller Airport.

6. Your Rights and Benefits as a Displacee Under the Federal Relocation Assistance Program, 1986, Department of Transportation. Contents: This brochure provides information about relocation services.

7. FAA Airspace Utilization Study No. ASW 87-3265-NRA. Contents: The aeronautical study, Airspace Utilization Study No. ASW-87-3265-NRA, was to determine what effect the proposal may have on compliance with the overall Airports Program and on safe and efficient utilization of the navigable airspace by aircraft.

This was a complete study consisting of an airspace analysis, a flight safety review, and a review of the potential effect of the proposal on air traffic control and air navigation facilities. This study was a coordinated effort by personnel from the Airports Division, Air Traffic Division, Airway Facilities Division, and Flight Standards Division.

8. Airport Site Selection Study -- Summary Report, R. Dixon Speas Associates, December 1975. Contents: Study done in 1975 to evaluate airport sites and select best sites for airport development.

9. Site Selection Study for Air Carrier Airport, R. Dixon Speas Associates, July 1979. The 1979 Speas Study evaluated 51 potential new airport sites and recommended the Manor site as the preferred site.

10. 1981 Bergstrom AFB/Austin civilian service joint-use plan (Bergstrom West Plan): In 1981, the city of Austin proposed the Bergstrom West Plan, a joint-use, but separate plan which would have located an airport adjacent to Bergstrom AFB to the west.

City of Austin
Founded by Congress, Republic of Texas, 1839
Department of Aviation, 3600 Manor Road, Austin, Texas 78723-5804 Telephone 512/472-5439

September 8, 1987

Mr. C. R. Melugin, Jr.
Director, Southwest Region
Federal Aviation Administration
P. O. Box 1689
Fort Worth, Texas 76101

Dear Mr. Melugin:

As you are aware, the development of a new airport near Manor, Texas is currently under consideration by the Austin City Council. The preliminary development plans for this new airport include the implementation of mechanisms that will ensure compatible land use of adjacent properties before intense non-compatible land uses can occur.

The property around the new airport site is currently used for agriculture and low density "farmette" type residential. The proposed airport boundary itself encompasses between 3,460 acres and 4,713 acres, depending on whether one includes only property within the proposed boundaries or includes wholetakings of all parcels wholly or in part within the airport boundaries. In either case, all of the area estimated for noise exposure of 75 Ldn or greater lies within the airport boundaries.

Beyond the airport boundaries, the 70 Ldn and 65 Ldn noise contours have been developed based on normal air traffic flows for the Austin region which flow south about 75 percent of the time and north the other 25 percent. Potential land use zones have been drawn based on the Texas Airport Zoning Act which encompass both the 70 Ldn (Zone AO-3) and 65 Ldn (Zone AO-2) noise contours. In order to account for those periods during the winter when Texas weather dictates a greater percentage of north flow traffic, we looked also at noise contours with 75% of the traffic flowing north and 25% flowing south. The prospective land use zones were extended north to encompass these contours also.

Our proposed airport development plan for the area envisions zoning these areas to ensure future land use compatible with the activity at the proposed airport. This zoning could be carried out under the State's Airport Zoning Act, but more likely would be executed by

the City of Austin. In either event, it is our plan to have this zoning in place before construction on the airport begins; probably coordinated with land acquisition for development of the airport itself.

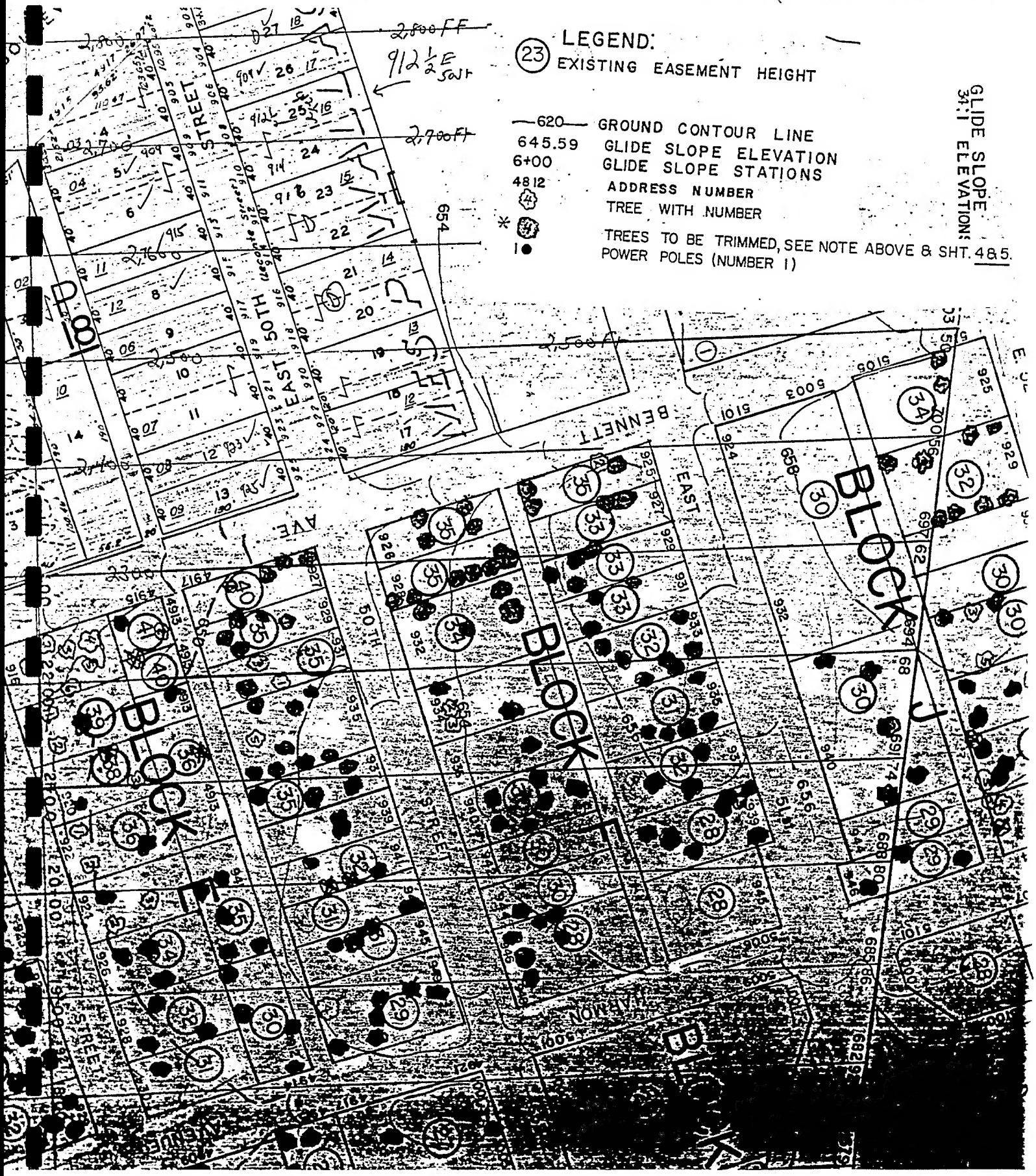
These land use zones include 128 residential properties, 132 farms, 5 commercial properties, and 2 special use properties. The total improvements on these properties have an appraised value of just over $8 million. We do not consider it in the public interest to acquire this property per se. The property probably can be better developed by private enterprise and remain on the local tax roles. Compatible development would be assured through the planned zoning. However, in order to avoid the problem of existing land use rights which are not compatible with airport activity, we are proposing a program of acquisition of existing improvements on these properties to permit compatible redevelopment of the land within these zones. Essentially, the City would purchase the improvements (for demolition or moving to a new location outside the zones) and leave title to the property with the current owners for sale or redevelopment under the new land use zoning ordinance. While not all of the improvements may require removal for redevelopment, we have allocated full value plus "soft costs" of about $3.5 million for a total of about $11.5 million for this acquisiton.

The City of Austin is committed to the implementation and enforcement of a compatible land use zoning program should we pursue the development of this new airport, and believe FAA participation in this program is both warranted and reflective of the FAA's objective of promoting aviation development. Through this process, we believe the new Austin Airport can be developed and operated to maximum capacity with minimal problems from adjacent non-compatible land use. At the same time, this program will allow proper and productive development of properties adjacent to the airport in a manner most supportive of the airport and the amenity at large.

Sincerely,

Timothy D. Ward
Director of Aviation

bdm


LEGEND:
(23) EXISTING EASEMENT HEIGHT
—620— GROUND CONTOUR LINE
645.59 GLIDE SLOPE ELEVATION
6+00 GLIDE SLOPE STATIONS
4812 ADDRESS NUMBER
TREE WITH NUMBER
TREES TO BE TRIMMED, SEE NOTE ABOVE & SHT. 485.
POWER POLES (NUMBER 1)
GLIDE SLOPE 34:1 ELEVATION
2,800 FT
912½ E
2,700 FT
2,500 FT
654
658
BENNETT AVE.
50TH STREET
50TH EAST
BLOCK J
BLOCK T
BLOCK B
BLOCK K
HARNON
P-81

REF: THE AVIATION DEPT BUDGET

In the Aviation Dept Budget it is projected that the landing fees will be estimated at 3.2 million. I observe that the City is generating these fees at the expense of the neighborhood environment around Robert Mueller Airport. I recommend that 10% of these landing fees be used to relieve noise and vortex intrusions into the neighborhood around the Airport. Airport Noise measureed in LDN around the airport suggest that the city is contributing to adverse physiological and psychological effects on ~~them~~ its citizens and the City Charter affirms a duty for the city to assure a healthy and ~~so~~ comfortable environment for its citizens. I recommment that 10% of the landing fees be used for low noise flight procedures, insulation of houses including windows, and the enact ~~a~~ ment of a policy that increases the percentage of class 3 type of aircraft landing at the airport. I request the Aviation Dept to amend its mission and goal statement to include that the Aviation dept has a social duty to protect the quality of the neighborhood environment around the airport.

We can Fight the problem of noise by precisely knowing how to measure noise db (A)